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AN
ENQUIRY
INTO, AND
DETECTION
OF THE
Barbarous Murder
Of the late
EARL OF ESSEX:
OR, A
Vindication
OF THAT
NOBLE PERSON,
From the Guilt and Infamy of having
Destroyed Himself.

Printed in the Year MDCLXXXIX.

IN Q U I R Y

INTO AND

DETECTION

OF THE

pernicious Practices

Of the late

EARL OF ESSEX

OR A

Vindication

OF THAT

NOBLE PERSON

From the Guilt and Infamy of having

Deceived Himself

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Upon the Execrable Murder of the Right Honourable

ARTHUR, Earl of Essex.

Mortality wou'd be too frail to bear,
How ESSEX fell, and not dissolve with fear;
Did not more generous Rage take off the blow,
And by his Blood, the steps to Vengeance show.

The Tow'r was for the Tragedy design'd,
And to be slaughter'd; he was first confin'd
As fetter'd Victims to the Altar go,
But why must Noble ESSEX perish so?
Why with such fury drag'd into his Tomb,
Murth'r'd by Slaves, and sacrific'd to Rome?

By stealth they kill, and with a sullen stroke
Silence that Voice, which charm'd when e'er it spoke.
The bleeding Orifice o'erflow'd the Ground,
More like some mighty Deluge, than a Wound.
Through the large space his Blood and Vitals glide,
And his whole Body might have past beside.
The reeking Crimson furr'd into a Flood,
And stream'd a second time in Capel's Blood.
He's in his Son again to Death pursu'd,
An Instance of the highest Ingratitude.
They then Malicious Stragagles employ,
With Life, his dearer Honour to destroy,
And make his Fame extinguish with his Breath,
An Act beyond the Cruelties of Death.
Here Murder is in all its shapes complete,
As Lines, united in their centre meet,
Form'd by the blackest Politicks of Hell,
Was Cain so driv'n when his Brother fell.

He that contrives, or his own Fate desires,
Wants Courage, and for fear of Death expires;

But Mighty ESSEX was in all things brave,
 Neither in Hope, nor in Despair, a Slave.
 He had a Soul too Innocent, too Great, A.

To fear, or to anticipate his Fate:

Tet their exalted Impudence and Guilt,

Charge on himself, and his precious blood they spill.

So were the Protestants some years ago,

Destroyed in Ireland without a Foe.

By their own barbarous Hands the Mad-Men dye;

And Massacre then equal, they know not why.

Whilst the King's will, lined to see the Gate,

And Pious Catholics their Fate deplore.

If you refuse to trust in Heaven's Fate,

Royal Mac-Diary will confirm the same.

Murder, by Heaven, and Justice to Home

We have lost more in injur'd Capel's heir,

Than the poor kidnapt, and avarice's rapine.

Nature indulg'd him so, that there we saw,

All the choice strokes her Godd's hand could draw.

He the Old English Glory did receive,

In him we had Plantagenets alive,

Grandeur, and Fortune, and a noble Name,

Fit to support the lustre of our Name.

All these, in him, were so perfectly conjoin'd,

But all was too ignoble for his Mind.

Wisdom and Virtue, and a noble Name,

Those, Godlike ESSEX, were entirely his.

With Life, his better Honour to display,

In his Great Name, he still prefers a Slave,

And will to all succeeding times survive.

With just Regard, as the constant Sun,

Doth move, and through its bright Eclipseick Ark,

For whilst his Day, he is, and shining still,

And his best Soul, in fear, above the sky,

Fame shall follow his great Breast supply.

Wants Courage, and for fear of Death expires;

AMong all the Sins which are said to cry for Vengeance, there is none to which a louder Voice is ascribed in the Ear of God, as well as Men, than that of *Murder*. For as it is the destroying of a Creature, which carries the Stamp and Impress of the Divine Image, and therein a defacing the most visible representation, which God hath vouchsafed unto, and left of himself in sublunary Beings; so it is a most daring insurrection against the Authority of the Supream Lawgiver, who design'd his inhibition for a sufficient Fence about our Lives. Nor does any Crime more audaciously control the End of Divine Wisdom in making us sociable Creatures, and furnishing us with Faculties and Powers by which we are enabled as well as instructed to help and shelter one another. And therefore in proportion to the heinousness of the guilt of the Sin of *Murder*, are both the denunciations of God in the Word, and his vindictive Dispensations of Providence against it, wrote in more legible Characters, than those wherein we find his displeasure recorded and testified against other Crimes. Profane as well as Sacred Stories are filled with instances of God's inquisition after the shedding Innocent Blood, and of the wrathful severity which he hath shown against Families as well as Persons in whose skirts it hath been found.

And as no Transgression is more provoking to God, so none does so much incense and exasperate Mankind. The destroying one innocent Person, is construed as a threatening of all; nor can we hear of the cutting our Neighbours throat, but we judge our selves alarm'd and bid look to our own. Nor is it only by the instinct, but by the Authority of the Law of Nature, that Murderers have in all Places and Ages, been pursued with an Universal hatred. He abandons his own Life to the Will and Pleasure of the next Assailant, who esteems it not his duty not only to wrest the weapon out of a Murderers hand, but to bring the Malefactor to publick punishment.

And though there is no Person so dignified or privileged, in whom Assassinations and Murders are not highly detestable, and to be prosecuted with the utmost Impartiality and Zeal; yet they deserve the greatest abhorrancy, when perpetrated by those, whose duty it is to defend our Lives instead of invading them. For if it be criminal in a very Enemy to kill the Person whom he reckons himself most injured by, unless empowered thereunto by a judicial Sentence, or a legal Warrant; how infinitely more enormous is it, for those to be Authors of, or instrumental in our ruine, to whom the care of our preservation is committed and entrusted. And by how much any are vested with the administration of the Law, to avenge them-

selves and the community upon offenders; by so much does their crime and guilt become increased, if when they cannot gratify their indignation in the person and quality of Magistrates, they espouse the Work and Character, and assume the weapons of an Assassin. And who knows, but that as the Attorney General had the boldness in print to call the Accusation and Commitment of the *Earl of Essex*, * a *Conviction for High Treason*, but that others upon that *Conviction* might have the impudence to give order for his Execution. What more hateful sight can there be to Heaven, or more enraging spectacle to Men, than to find those, who by the places they are advanced unto, and the trust that is reposed in them, ought to watch for our safety, conspiring our ruine, and what they have not the courage themselves to execute, tempting and hiring others to commit?

As it will be easily allowed, being indelibly engraven in our Natures, that every Murder is to be registred amongst crimes of the deepest dye; so it cannot be denied, but that one may be of a more heinous Nature than another, and receive aggravation from the Worth and Quality of him that is Assassinated. For as the value of kindnesses grows in proportion to the meanness of the Persons on whom they are bestowed; so crimes receive an increase of guilt, from the Dignity and Usefulness of those against whom they are committed. By how much higher the station of any one is in the Commonwealth, and by how much through his Wisdom, Power, Bounty and influence, he is beneficial to the Nation; by so much is the destruction of such a Person attended with the higher aggravations, and to be resented as a most enormous Crime. Nor are we only to esteem our selves injured, and threatned in and by the example of such a Persons ruine, but we are to account our selves wronged, and ought to demand reparation, answerable to the benefits we reaped by him, and which we are rob'd of by the loss of so useful and worthy a Person. Our Law in making that against a Peer liable to an *Action of Scandal*, which it takes not so much as cognizance of as an offence against little and inferiour People; could not be so improvident in reference to the Lives of Noblemen, as not to set a stronger and higher hedge about them, than those of Mechanicks are fenced and defended by.

Nor is it only from the quality of a Person against whom a crime is committed that it receives an aggravation; but there accrues a new addition of guilt thereunto, from the obligations which the Person destroyed, may have laid upon those who were instrumental in, and accessary to his ruine. To see one perish by the hands of those, whom he may have injured

jur'd either in their Persons, Reputations, or Interest, is no more than what we may sometimes find instances of among the unruly and degenerate part of Mankind; but to hear that a Person is assassinated by those whom he served with the utmost Zeal and Fidelity, is a villany which none but prodigies of Ingratitude, and monsters of humane Nature, can be guilty of. But there is a certain Duke in the World, whom I shall forbear to name, whose temper is to bestow his Favours upon such as have been his Majesties greatest Enemies, as well as the most profligate and basest among Men; and in the mean time recompense such not only with neglect, but hatred, whose Parents, as well as themselves, had shed their Blood, and ventured their Fortunes in the behalf of the King and the Royal Cause. How true is that of Tacitus, lib. 4. *Annal. Beneficia eiusque lata sunt, dum videntur exolveri posse, abis multum antevenire, pro gratia odium redditur.* Kindnesses are acceptable while they may be repaid; but when they exceed all possibility of recompence, they meet with hatred instead of acknowledgment. There is no other way to be secure from the Malice of some sort of People, than in the place of obliging them, to keep them at defiance: For whereas they are altogether incapable of being won and impressed by Courties, they are neither to be chained up, or menaced from doing mischief.

And as all I have suggested, makes but too suitable an Introduction into this following Discourse of the Assassination of the Earl of Essex; so it is no small reflection upon the Honour of the Nation, and proclaims the execrableness of the Fact, and impudent boldness of the Actors, that they durst perpetrate this horrid Villany, not only in the Royal Prison, where the Government in the account of the Law is responsible and pledge for the safety of the Captive, but in one of his Majesties Palaces, where the King Himself is to be esteemed Security for the preservation and forthcoming of all who come under his roof. The honourable Gentleman being the King's Prisoner, and deprived of all means and advantages of defending himself; these trusted with the administration of the Government, and particularly the King, were to be responsible for him in case he miscarried. Nor can his Majesty's best Friends, and those who are most zealous for his Honour, think otherwise of that villanous Fact, than that they who were the Contrivers of it, intended at once to rob the King of one of the best and ablest Ministers he had ever employ'd, and to give a mortal Wound to the Royal Reputation, by perpetrating the bloody Crime in such a place. And whereas the Queen had lain under an imputation of reproach, upon the account of Sir Edmundbury Godfrey's being assassinated in Somerset-House, they might hope to involve the King under the like dishonour, by cutting the throat of this Noble Peer in the Tower of London.

Nor ought any Man whom the Providence of God hath furnished with means and advantages of detecting so horrid a Murder, be judged either officious, or held for disaffected to the Government, if he reveal what he hath attained to the knowledge of, and publish those Evidences, which as they have satisfied himself, may be sufficient to convince all the unbiass'd part of Mankind, of the truth and reality of this barbarous assassination. And as it is impossible he should be a good Christian, so he ought not to be esteem'd a good Subject to his Majesty, nor a sincere Friend to his Country, who shall more value his own ease and safety, than the delivering the Throne from guilt, or saving the Nation from that vengeance, which the cry of innocent Blood barbarously and treacherously shed, is ready to derive and bring upon it. And it is no small evidence by whose Countenance and Authority this Murder was committed, that such discouragements have been given to the discovery of it, and that an honest Gentleman hath been so severely proceeded against, in defiance of all Laws, as well as without Prejudice, for but offering to represent what he had learned in relation to the destruction of that honourable Person. But as we shall have occasion to speak more fully of that afterwards, I shall only add here, That the barbarity expressed to Mr. *Braddon*, is so far from deterring others to pursue this affair, that his ill treatment at the Council-Board and King's Bench, was one of the Motives of my undertaking this Province. And as by reason of the retirement I have confined my self unto, and the privacy I have used in following these researches, I labour not under the inconvenience of dreading a Fine or Prison, which does so much frighten others; so I dare boldly affirm, That the terrour of these things (were I to encounter them) would not so affect me, as to make me neglect what I reckon a necessary as well as an important duty. *Paria deesse quoad visa suppetat, aliis turpe, mihi etiam nefas*, was the saying of *Camillus* in *Livy*. And tho' I be not so vain and ambitious, as to desire the World should know who I am, yet I judge it absolutely needful, that they should understand who I am not, lest others come into trouble for that which ought not to be charged upon them, and which none but my self can with any Equity or Justice be made accountable for. And seeing Mr. *Braddon* hath been singled forth as the object of some Mens indignation, for the service he was willing to have done his Majesty, in the detection of this Murder; I reckon my self bound to publish to all the World, That I know not the Gentleman, and that to the best of my remembrance, I never saw him, much less ever have conversed, or had any communication with him: I will not deny, but that he is a person whom I do infinitely esteem for his Integrity, Zeal, and Courage in this matter; yet I will not be so far injurious.

rious to him, as to commence an acquaintance with him, during the transaction and dependance of this affair, and while he is under the power of those that will be ready to declare him criminal, for the least intercourse with a person that is likely to become so obnoxious to the rage of *St. James's* and *Westminster-Hall*, as I may come to be for this Service to the King and Kingdom.

And besides the common ties, which I lie under equally with the rest of Mankind, for endeavouring to deterre so horrid and barbarous a Murder, there are some special Obligations upon me, by which I esteem my self more particularly bound than others are, to do all the right and justice I can to the Memory of this massacred Lord; and to redeem his Name from the infamy with which they have aspersed him, of being *Felo de se*. For I had not only the honour to be known to him, which *Mr. Braddon* pretends not unto, but besides the favouring me with diverse Testimonies of this respect, he did me the kindness to own and befriend me at a juncture, when I was in no small hazard from the Malice of very powerful, as well as considerable Persons. And seeing that honourable Peer has been so unhappy, as to find nothing but Ingratitude, as well as Injustice, from those of highest and sublimest quality, whom he had most effectually serv'd, and infinitely oblig'd; it is not amiss, that the World should understand there are some remains of Vertue and Gratitude among the mean and little People; and that tho' their Condition does not enable them to recompense Favours conferred upon them by great Persons, yet they have that ingenuity which others want, viz. to sense and knowledge them.

And as I reckon it no small honour to have been known to the deceased Peer, so I thereby enjoyed an advantage which others wanted, namely an opportunity of learning the principles, and observing the temper of that excellent person: Whom as I found to be one imb'd with the most Vertuous and Religious, as well as Heroick and Generous Principles of any Nobleman in the Kingdom; so I observ'd him to be a Gentleman of the greatest sedateness of Mind, least subject to the undue agitation of unruly Passions, and most under the conduct of a calm, steady, strong, clear, and well-poised Reason of any Man of Quality, I ever had the happiness of access unto. And if either the succours of Nature, Education, or Grace, were sufficient to fortifie and preserve a Person from such an enormity and Crime, then must the Earl of *Ex* above all Men, be acquitted from the guilt of so execrable a fact, as being contrary to the Frame and Constitution of his Nature, as well as to all the intellectual and moral habits of his Mind. So villainous a deed, was inconsistent with his Temper, as well as repugnant to his Vertue.

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As he was an excellent Christian, he durst not allow a thought that might give encouragement to so heinous a sin; and as he was a well-accomplish'd Gentleman, he scorned to render himself guilty of a thing that was so mean and base. Nor was the folly of the Assassins less, in hoping to obtain Credit to a report, that the Earl of *Essex* cut his own throat, than their wickedness was, in contriving and perpetrating themselves, that bloody Murder upon him.

Yea, as if it had not been enough, to have first cut the throat of this innocent tho' unfortunate Earl, and then to have fastned the guilt and infamy of their own Fact, upon his untainted Vertue and spotless Soul; they have sought to gain credit to their calumnious accusation, and to reconcile unthinking people to their Opinion, by affirming that he used to commend and justify Self-murder, in case there remained no other way to escape a capital Punishment, and the being made a spectacle to the little and gazing part of Mankind. And to give the better gloss to this malicious fiction, they report that he used to extol the action of his Lady's Grandfather the Duke of *Northumberland*, who being Prisoner in the Tower for Treason, shot himself in the head with a Pistol. But as the Earl of *Essex*, had he entertained so ungodly and corrupt a sentiment, was more prudent and discreet than to publish and avow an Opinion so contrary to the Rules of Religion, the Principles of Honour, and the common sense and perswasion of Mankind; so it is enough to detect the falshood, as well as the malice, that is in this report, that the Authors and Dispersers of it, either dare not declare the persons to whom the Earl should have discovered and revealed his Mind in this matter, or else such as they have named for Vouchers of the truth of this story, have not only denied their having at any time heard him express the least word in favour of Self-murder, but do affirm with all the sacredness imaginable, that he used to speak always of it with the utmost abhorrency, and to brand it as the greatest and most heinous sin. For whereas they have had the Impudence to affirm that this report either proceeded originally from his own Lady, or was at least assented unto, and attested by her, she hath upon application to her Ladyship for the knowledge of the truth or falshood of this story, not only with all the solemnity requisite in a matter of this importance, vindicated my Lord from having ever spoken a word that might induce the lawfulness of Self-murder, or give countenance to a person's being *Felo de se*, but she hath further affirmed, That he used to speak against it with an emotion beyond what was customary to him, and that he hath often declared, that no circumstances whatsoever could extenuate the guilt, or lessen the infamy of so unnatural and wicked

wicked fact. So that this story, which hath been so maliciously and industriously spread, to gain belief to the report of my Lords having murdered himself, may upon this detection of its falshood, be very justly improved for the establishing an assurance that he was Assassinated by others. For it is impossible to imagine upon what other motive it could be invented, unless to palliate the crime of those who had destroyed him.

But should it be granted that the late Earl of *Essex* used to speak with all candor and respect of the Duke of *Northumberland*, who slew himself in the Tower; it was no more than what might be expected from a Gentleman of civility and good breeding, partly out of *decorum* and complacency to his Lady; whose Grandfather the said Duke was, and partly out of respect to that Noblemans personal Merit and Worth, being upon many accounts a truly great Person. For is it not enough to condemn a fact, without heaping obloquy and reproach upon him that hath been guilty of it? It is sufficient to represent the evil of a thing in *Thest*, and to demonstrate the Sin, as well as Dishonour in committing it; but it neither agrees with the Rules of Religion, nor the measures of conversation among Persons of Quality, to be over severe in *Hypothesis*, and to pronounce this or that Man wicked and infamous, though upon the score of that which we have doctrinally, and in way of argumentation, Censured and Condemned. Nor was the Earl of *Essex's* case, parallel to that of the Duke of *Northumberland*, that the latter should make the former a Preident. For whereas that Duke was not only accused, but condemned for High-Treason, when he committed that Fact; the Earl though accused and committed, not only knew himself innocent of the Crime wherewith he was charged, but was well assured that there was no Evidence upon which they could proceed to Try, and much less to Condemn him. For of all the Witnesses who had undertaken the drudgery of swearing Men out of their Lives, there was only my Lord *Howard* that could pretend to so much as acquaintance with him, whose Testimony being but that of one Man, and of a very infamous one too, it could not have found an indictment of Treason, much less be esteemed a sufficient proof in Law, for the Conviction and Condemnation of the meanest Subject.

And this leads me to another Topick that the Earl of *Essex* did not destroy himself, but was murdered by others. For whereas it is not only sworn, that he cut his own Throat, but * *That he had ordered his Servant two Days before, to provide a penknife for him, on pretence of cutting his Nails, but with an intent (as Bomeny insinuates in his deposition) of committing that fatal and tragical Act*; I doubt not but to make it appear that he was so far from

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* *Braddon's Trial* p. 45. 55.

any previous intention of that Nature, that he took all imaginable care in relation to his Person, and that he did as to any hurt he might do himself, as a fully superstitious and jealous of himself might be attempted upon him by others, and was accordingly solicitous upon a prevention. And therefore he had the very day before his Marriage appointed his Guards to bring up out of the Country several Vessels of Silver and Gold for the purpose of dressing of Victoria with him (and so have them brought into the Tower) not so much because he would have his Bed provided and prepared by his own Cook, his children being curious in what he eat; but because it was a sign of his safety, which his Bed was made ready by any of the Officers of the Palace, and without without suspicion that some violent and illegal attempt would be made towards his destruction. Nor was it worthy of our further remark, that he was so far from having abandoned himself to despair, as having entertained the least thought of being his own Executioner, that the very day before the perpetration of the barbarous and horrid Fact upon him, he had ordered a considerable quantity of the best sort of Wine to be brought, and brought into his Lodgings for his own drinking, selecting out of the Cellars his safety rather than his Health to take care what was said in relation to the Tower, and who said he knew that there had no intention or talk of bringing him to a Trial, nor indeed could, having but only one Person that pretended to be a Witness against him, he had accordingly appointed the providing such a quantity for him as would have sufficed some Months for his own drinking, till he could have been detained in a due course of Law. Nor can unbiased and impartial Men make any other surmises and deduction from these circumstances, than that the Earl of Essex instead of having designed any violence upon himself, was only suspicious of what might be attempted against, and perpetrated upon him by other hands.

But if we will allow our selves leave to observe, what End the violent death of that Earl hath been improved unto, and what designs his Majesty's Judges and Ministers had studied to serve by it, we shall both let our Eyes and the World into a full view and knowledge of this Heinous Mystery of Darkness, and be able to detect the Contrivers of it, and by whose encouragement and Authority, that excellent though unfortunate Person was brought to an infinitely and bloody Death. In order whereunto we are to recollect, how that after diverse Contrivances and Days of involving Proceedings in Court Plots, against the Person of the King and the established Government, they were at last possessed of a pretence of a Conspiracy of this Nature, and had furnished themselves with some Witnesses, who un-

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dertook the swearing the best and chiefest Men in the Kingdom, into a Conjuraton for serving War and destruction of his Majesty. But being conscious that their Witnesses were not of a reputation to win belief to what they had prepared in charge against the principal Patriots of our Religion and Laws, they resolved to Murder the Earl of *Essex*, (being one of those they had committed, upon an Accusation of being guilty of that pretended conspiracy) and then to give out, that he had destroyed himself, from the shame and horror of being concerned in so treasonable a design. This they judged to be the most effectual way to support the credit of their Witnesses, and gain over the Nation to give Faith to the Truth and Reality of the Plot. For as his Majesty's Ministers knew what infamous Persons most of the Witnesses were, and how far from deserving that any thing should be received upon their Testimony; so they were very sensible that the generality of the Kingdom, were not over inclinable to believe a Protestant Plot, these having been so many endeavours before, of imposing upon them in this way and kind. This was the design in order to which the Murder of this honourable and innocent Person was contrived and resolved, and to this end did the *Attorney-General* and my Lord *Chief Justice* with all the Eloquence and Artifice, as well as all the Malice they are Masters of, endeavour to make it useful and subservient. *The Lord of Essex being committed to the Tower for the Plot, and killing himself there, was more (says the Attorney-General) than a thousand Witnesses to open the Eyes of the People, and confirm the belief of the Conspiracy. * There was Digitus Dei in it, (says my Lord Chief Justice Jeffreys) and enough to satisfy all the World of the Truth of the Conspiracy, that the Earl of Essex being Conscious of the great guilt he had contracted in being concerned in it, did rather than abide his Trial, and for the avoiding the methods of Justice in his own particular case, destroy himself.* The improvement of the Murder of that Noble Peer, to the establishing the belief of a Plot, gives no small ground to suspect who were the contrivers of his Death, and upon what design they did first Assassinate, and then endeavour to cast and divers the infamy and guilt of it upon himself. But I hope they will from their own ways of Argumentation, allow us the liberty of inferring, that in case my Lord of *Essex* was not *Elo de se*, that then there was no such Protestant Plot as they have filled the World with the noise of, seeing the only motives upon which they suppose and alledge his having committed that unnatural Fact upon himself, were the reproach and horror of that Conspiracy. Nay we doubt not, but that all the honest and disinterested part

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* *Braddon's Trial p. 3. ibid. pag. 63.*

of Mankind, will upon Conviction of their having destroyed that innocent Creature, become fully satisfied, that they have seen no such Treasonable Combination, and that Ministers have endeavored to impose the guilt of, upon the Nation, but that all its Court and Popish Shame, and only derided and brand for subverting our Liberties and Religion, by cutting off those that had the integrity and courage to expose the Protection and Defence of them.

18 And now Sir, what shall be the unnatural Death of my Lord Egge? is a
 pher and impravall Thoke, by whom it was contrived and effected, to
 the Emag of his Murder, does further Evidence and Demonstrate, where
 the guilt of it ought to be charged, and what Service it was calculated
 for the promoting of it, becaus if it had not been thought fit Murder One
 innocent Person, to save off the most barbarous and the most Inhumane, the
 refusal of such Justice to a poor innocent of time, as that it might serve to
 fortifie and compasse the ruine of some Noble Person, in the way of
 their Legall Formes. And therefore, no sooner was my Lord Russell enred
 on his Trial for Life, upon an Imputation of being guilty of that preten-
 ded Conspiracy for which the Earl of Egge had contracted, but they
 Addressed the Court in the Trial, and immediately dispatched away the
 misfortune having mortified himself, to the Old Lady, thereby to stifle
 and propoyle the Jury, and byas them to Conject that Some Vireuous, No-
 ble, and Innocent Person, and with what Satisfaction in themselves, as
 well as Malice and Artifice against the Prisoner in the Bar, did his Majesty's
 Council say hold on the young, and apply them towards the beguiling
 a belief of the guilt of that admirable Person who stood then arraigned,
 and whom they were at that very time haranguing and pleading out of
 his life. As if it had not been enough to imprints the Minds of a Jury suf-
 ficiently prejudiced, and which to all Mens knowledge was grossly partial,
 for the Attorney General to say, *That my Lord Russell was one of the Coun-
 cill for carrying on the Plot to kill the Earl of Essex, who had that Morning
 presented the Head of Justice upon his trial.* Sir George Jeffreys comes after
 him, and adds in the winding up the Evidence to the Jury, just before they
 were from the Bar, and without all doubt the better to mould and de-
 termine them to find the Arraigned Person Guilty. *That there was nothing
 could be said in favour of my Lord Russell's Innocency, as to what he was in-
 censed off, his Indict might be more strongly attested in behalf of the Earl of
 Essex, who was himself's friend in Conscience, but being guilty of that desperate
 Conspiracy, and brought himself to an untimely end, to avoid the method of pub-*

lick Justice. Yes, for evident was it to all impartial Persons, who were then present at the Trial, that the Murder of the Earl of Essex was not perpetrated by himself, but by others, and that it was timed and adjusted to that season, in order to the influencing the Jury to give up my Lord Essex with the more ease, as a Sacrifice and Victim to the rage of the Court. I think a very noble Lord, who was always in the Interests of Honour, and who was then very zealous in the prosecution of those accused for the Plot, being at that time upon the Bench, did upon the Hearing of my Lord of Essex's death, and who were then walking in the Tower when it fatally fell out, and upon observing with what diligence, care, and artifice, the news was brought into Court, as my Lord Essex was in the Bed and how the King's Council thereupon acted their parts, rise up in great consternation from the Bench where he sat, and pulling his Hair out of his eyes, pressed out of Court, laying he plainly saw the bottom of the Business, and all the Mysteries wrapped up in it. And indeed such influence and success had the News of the Earl of Essex's having murdered himself, from the shame and horror he was under, for being concerned in the Conspiracy, whereof my Lord Essex stood then arraigned, that divers of the Judges have confessed and acknowledged, that the report of the Earl's death, especially as improved and managed by the King's Council, had greater power over their Minds, for the convicting him, than all the other Evidence which was given, and that they do really believe they should never have found him guilty without the intervention of that fatal Throat, and the crafty application which the King's Council of Law made of it. But to far was the Earl of Essex from entertaining any foregoing thoughts of murdering himself, or from calculating the perpetration of it to that unhappy season, that the very day before my Lord Essex's Trial, (being all the day before his own Throat was cut) he gave private directions to his Steward, to place himself with all the convenience in Court, which he could, at the said Trial, the better to take the Evidence in short hand, instructing him withal how he might afterwards convey it to him for his perusal, and to be made use of as he should have occasion. And as the Earl of Essex was a person of that Sincerity, Honesty and Vertue, that no rational or good Man can believe he would commit so heinous a crime upon himself, so such was the entire friendship between him and my Lord Raleigh, that we must renounce common sense and reason before we can admit that the Earl of Essex would be guilty of so heinous an injury to his dearest and best Friend, as to calculate and adjust the murdering himself to such a season, which he must needs know would be too probable a means, to derive the destruction of a person whom he infinitely valued and loved after it.

Having now shewn the end unto which the murder of this incomparable Earl was designed and adapted, and the improvement which was made of it, not only through endeavouring to establish thereby the belief of a Protestant plot in general, but to compass and facilitate the ruin of that Religious and Noble Person, my Lord of Devon in particular, we shall see further movement to pursue and to finish the iniquitous part of Murther; that some of our *St. James's* and *St. Charles's* were the Conspirers and Authors of that barbarous assassination; lay open and unfold the motive and place upon which it is done, and what it was which gave the original fire to some Mens implacable malice against that Earl, as well as to some Person, who is it easier to be hated, but his late death, Earl had received Votaries of Honour, and Places of great Interest and advantage from his Majesty, so it will be acknowledged that not only his Father but himself had laid all the Obligations upon the Crown, which it was possible for Subjects in way of acting or suffering to do, nor is it less evident that even without being both the Father my Lord of Devon laying down his Life for the King and the English Monarchy, and his Son *John* manifest suffering and being seized for the King the second, and the Royal Family, yet the Noble Person, instead of being possessed any longer the just Rewards of his Father's Merits, or enjoying any more the wonted Rights of his Prince's Favour, was not only deprived from, and deprived of the Respect and Confidence which his Majesty had shewn to shew him, but was become the Object of the Duke of York's implacable hatred and boundless malice; for the Earl of Devon was a Person, whom nothing could so hurt as his Fidelity to the King and the established Government; yet he was also a sincere and zealous Patriot of the Laws and Liberties of the Kingdom, and a courageous Defender as well as Owner of the Protestant Religion. And as he was one of the most necessary, valiant and timorous Lords, who would either contrive any or counsel in the introduction of slavery and Popery, so he was one of the principal of those *Presbyter* and generous Peers, who had been active in detecting the Popish Conspiracy, and who had laboured with the greatest industry to prevent the effects of that villainous Conjurators of the *Parliament*, *Laws*, and *St. James's*, for the reformation of the Reformed Worship, and the restoration of the ancient Laws and Privileges of *England*. And as he was known to understand the nature and extent of the Popish Conspiracy, and who were considered in it, and to what degree, than most persons in the Kingdom, it is to be supposed, that he had opportunities for, to nothing can be more certain, than that as hereby he became the most dangerous Man in the whole Nation

tion to the Papists, but that he must consequently be the most special object of their Jealousy, Fear, and Hatred. For as his public Station in Ireland as well as his having been long a Member of his Majesty's Privy Council in England, furnished him with manifold advantages, which others wanted, of knowing the tendency, and penetrating into the bottom of all the Design and Conspiracies which have been carrying on against our Religion and legal Governments; so his Learning and sobering of himself in his Conscience and Honour by either falling in with the Conspirators, or by standing to withstand and oppose them in their Attempts for the subversion and Establishment of Popery, and Arbitrary Power, made them conscious of all ways and means how to destroy him. And besides that, for mentioned Advantages, which he had above other Members of the House, the dangerousness of the Popish Plot, he resolved to stand according to light in that Affair, by having he continues a Member of the select Committee, which had the Examination of Persons, and Inspection of Papers, concerning that Devilish Conspiracy. Nor was the Earl insensible of the danger he was then upon, his accounts and according to what he had sometimes said, he had the sense of it, and that he was gone by in his Epitaph, and more particularly, such of them as make the greatest figure in the Kingdom, shew'd he had his reason of the detraction he was able to make of his invidious Mashinations, as to be could not be without apprehension, but that they would yet be too bold to say him in order to prevent it. Alas! poor Earl, who has left us no more than a poor forsaken name, made his meaning to live in the Nation and his self by revealing that while we had Parliaments, the knowledge of these things would have been a means to have prevented our ruin, and as that part now is rewarded for the treachery of those ingrateful Men, who are an obnoxious unhappiness to this Wolf, the great Instruments that could have unmasked Persons and Things, and denied Parliaments from their legal authority, as well as our Councils and Wisdom, we can only understand how far the preservation of England from becoming the Seat of Popery and the Theatre of Tyranny, did not ought to be so strange that the Malice of the Papists, and of those who have conspired against our Rights and Religion, should transport them to that measure & degree of rage against a person who had not only faithfully served his Majesty and the Crown, but who, whom they could expect no opposition, but who had been founded in the Authority of our Laws and promoted in a Parliamentary way, and which the King himself is bound by his Oath as well as the Duty and Trust reposed in him to second and give countenance unto. For besides the great Consideration of that Temper, and Character, whom they have destroyed or corrupted by and

under a form of Law, but indeed contrary to all the Laws of the Land; and against the worst Presidents, even in the most absolute and despotic Rulers; there may be several Gentlemen mentioned, whom they have cut off with-
out the form of any process, merely because they either thought them-
selves prejudiced, and with blood by them in their designs; or were afraid
of them, by reason of the discovery which they were able to give of their
Conspirations against the Kingdoms, and of the Villanies they had commit-
ted against the Liberty, to the Establishment of Popery and Tyranny. For not
to mention either the Condemnation of that most honourable Person the
Earl of *Argyle*, nor the Condemnation and Execution of that gallant Gen-
tleman Colonel *Sidney*, nor the late barbarity used against their ancient
Servant Sir *Thomas Armstrong*, all which were directly repugnant to the
Laws of the respective Kingdoms, and contrary to all proceedings in o-
ther criminal and capital Cases. Were not my Lord *Essex*, Sir *Robert Brooke*,
and Sir *Edward Denny Godfrey*, without being so much as arraigned or ac-
cused, murdered by them, only because they either found them opposite to
their Rancour and Arbitrary Designs, or knew them capable of revealing
their Hellish Counsels and Designs against the Nation; the Established Re-
ligion, and the Reformed Religion? What Family in *England* had done
or suffered more for Monarchy, and for his present Majesty as well as his
Father, than that of my Lord *Essex*? Some whereof had sacrificed their
lives, and all lost their Estates and Fortunes, upon the more Noble and
conspicuous of these Martyrs; and yet notwithstanding all this, my late Lord
Essex could not conceive that his Jealousy concerning the Reformation,
which was resting upon the Laws of the Land, and with a zeal and courage
upon his Integrity in the Protestant Religion, and his resolution to assert
by all legal ways, the ancient Rights and Privileges of *England*, but the
Conspirators against our Religion and Law, conspired and resolved the
death of that worthy Patriarch, and found means to poison him by subtlety
and hired Instruments. And for Sir *Robert Brooke*, though he had not been
called to that service for the Crown, nor had the misfortune to suffer in
that degree for the Monarchy, which the former noble Person had; yet he
was never wanting in Loyalty to his Majesty, nor always served him with
fidelity in his Capacity, and upon all occasions expressed the utmost
readiness to maintain and promote the Greatness of the King, and Honour
of the Throne. Nevertheless that worthy Gentleman had not been re-
vealed into the Burning of *London*, and traced that execrable Deed to Sir
Janeys, which as Chairman of the Committee, that was appointed to inspect
and search after the Authors of that dreadful Conflagration, he had both

occasion and was justified by his Place to do; but the *Romish* Faction who had perpetrated that horrid Villainy, took up a resolution to cut him off partly in revenge of his Zeal and Service to the City and Kingdom in that matter, and partly to discourage others from meddling in a point which so nearly touched some of the greatest, as well as to prevent the publication of the researches and discoveries he had made. And whereas *St. Robert* upon an extraordinary of Approaches and Jealousies in his life as well as upon the warnings and Informations he had received from Friends for a defence against his Person and Life, did on the Prorogation of the Parliament, withdraw the Kingdom to avoid their fury; yet these implacable and blood-thirsty Men, who never pardon either those that actually have, or give in a capacity to injure them, hired Assassins to dog and pursue him, till he was forced he wrote, who at last taking him at an advantage, drew him into a River, where he was about to wash and refresh himself. And for *St. Robert* Godfrey, all that are not willfully and perversely ignorant, are so fully instructed both of the barbarous Murder committed upon this Gentleman, and from what Motives and Inducements, and by whose Countenance and Authority he was Assassinated, that I shall not trouble myself or the Reader by enlarging on that Villainous Fact, which we have hitherto wanted the courage to make a Person at *St. John's* suffer for. Upon the whole, it can be no surprize to thinking and observing Persons, to hear that the Earl of *Essex* was, by the Authority of the Duke of *York*, Murdered and Assassinated; seeing it is no more than what he and our Arbitrary and Popish Ministers, have practised upon several others, whose opposition, power, wisdom and interest, they did not so dread and apprehend, as they did the Zeal, Courage, Integrity, Prudence and Figure, as well as Esteem in the Kingdom, of that truly Great and Honourable Peer.

As the Topic, which we have already insisted upon, admits of sufficient ground to believe, that the Earl of *Essex* did not Murder himself, but was villainously Assassinated by others, so it is rendered more plain and evident from the Reports which were spread abroad, both of his Death and the manner of it, before that barbarous Fact was committed, or at least before the Fame of it could reach the places where it was told and related. I have been always esteemed a rational ground of accusing the *Spanish* and *Jesuits* of the Assassination of *Henry the Fourth of France*, that the news of his Death was not only reported in *Spain*, *Italy* and *Flanders* some days, if not weeks, before the miscreant *Ravillac* gave him the fatal stab; but because a *Courier* passing through *Luxemburg* both related the News

of his Death, a Week before he was Murdered, and had the impudence to declare that he was carrying the Tidings of it to the Princes of Germany. The Committee of Parliament that had the examination of the burning of London, *Anno 1666*, judged it no small Evidence that the City was burnt on design, and through the treachery of the Papists, that the news of it had not only been reported in divers parts of England before that fatal conflagration fell out, but written from beyond Sea as the discourse which the *Litany* entertained their Favourites and Privado's with. Nay it was born one of the first means of discovering by whose contrivance *Sr. Edmund Godfrey* had been Murdered, and was also urged, and allowed upon My Lord *Stafford's* Trial, as a proof of the Papists being guilty of that Assassination, that the news of *Sr. Edmund's* being killed, was related sixty or seventy miles off in the Country before it was known at London what was become of him. Nor indeed can it be imagined how matters of Fact, should come to be said, before they are acted or committed, but by granting that such things were resolved upon and designed, and that they came to be vented and talked off by reason of the stabbing humour either of some Persons accessory to the Conspirance, or entrusted with the knowledge of what had been agreed unto, and determined in more secret Cabals. So that we may rationally hope, the ingenious part of Mankind will esteem themselves much enlightened in reference to the manner of the Earl of *Essex's* Death, and enabled to conclude who were the Contrivers and Perpetrators of the Villainous Assassination of that renowned Person, if we represent unto them, with all the plainness we can, the Reports which went of it, both in City and Country before the Commission of the abominable Fact, or at least before the tidings could reach the places where it was spoken and discoursed. Nor will it be unfit to begin with that which a Woman of Quality hath related to divers Persons, and which she is ready to swear in the presence of any Magistrate when called thereunto, namely that being the day before the Earl of *Essex's* Death, bestowing a visit upon some of her acquaintance, and there happening in that conversation, a discourse concerning that unfortunate Gentleman *Sr. Edmund Godfrey*, who because of the intelligence he had received from *Coleman*, as well as the Deposition made before him by *Dr. Ozer*, about the Popish Conspiracy against the King and the Government, was barbarously Murdered, *Anno 1678*. A Gentleman then in Company took the freedom and boldness to say, *That there would appear on the Adventure, another Sr. Edmund Godfrey*. This though the Lady could not at that time fathom & comprehend, yet being surprized with the expression

non, he related to her Sister, that evening when he came home, and upon hearing the next day that the Earl of Essex was murdered, and how it was reported that he should have had his own sword strike the poor Lady, who strangely alarmed with the news could not but immediately make his reflection on what he had look'd upon over night as a parable and a sign, was then deciphered and divulged, and that the Earl must needs have come to that untimely end by the treachery & villainy of others. In this was all relation what Mrs. Mear, a Gentlewoman who also lives in London, was ready to depose upon Oath, relating to a previous report of this nature, at Mr. Braden's Trial: For being on a Friday the 12th. of July, which was the day before my Lord of Essex's death, travelling wether Daughters in a Coach from the City down to Berkshire, (he is ready to swear that her Daughter then told her how she had heard it reported) That one of the Lords committed for the late Plot had cut his throat in the Tower, (which fully evidenceth, that there was a discourse not only of his death, but the manner of it, antecedently to his fatal and tragical end. But the Daughter being with Child, and near her time, and therefore not daring to venture abroad, much less into the Court at Mr. Braden's Trial, my Lord Chief Justice would not suffer the Mother (who she was there and sworn) to be examined, alleging, that because he could not depose on her own knowledge, but only on the report of her Daughter, it was no evidence; and therefore against all judicial forms to admit it. But as Mr. Waller well replied, *It was evidence there, was it not a week previous to my Lord of Essex's death?* so I may add, that by consequence he did not murder himself, but was assassinated by others. Nor was it only in and about the Town that my Lord of Essex was reported to have cut his throat at least a day if not more, before he came to his untimely end; but the same was discoursed of as a considerable distance in the Country, and related after the same manner, and with the same circumstances. For one Mr. Goulder, a Shopkeeper in Andover, a Town removed from London above 50 miles, positively swears, That it was said there the 11th. and 12th. of July, that the Earl of Essex had cut his throat in the Tower, whereas he was not kill'd till the 13. nor could the news arrive so far in the ordinary way of conveying intelligence before the 12. And the said Mr. Goulder further avers, that this was so commonly discoursed of from Wednesday night, till Friday noon that he fully expected the confirmation of it by the Post letters, which were to arrive that day. But finding no mention in those letters of any such thing, tho' they all agreed in the relation of the E. of Essex's commitment to the Tower, he concluded

* See Biddon's Trial, p. 43.

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there.

there could be no truth in the report, but withal wondred how such a thing
 came to be talked of. And therefore when the certain news of my Lord's
 death was brought to *Andover* about Saturday noon by some Clothiers that
 came out of *London* on Friday at twelve of the clock he could not but be a-
 mazed at the report which had been current among them two days before.
 But my L. Chief Justice was pleased to ridicule all this when it was deposed
 at Mr. *Braddon's* Trial, as a contrivance to deceive the King's Subjects & to set
 us together by the ears. *Being in still* took out of *Dunghill* and pick'd up one who
 posse to make a fire, and set on fire into a flame. But can his Lordship think that
 his blustering, his impudence, and the huffing the World with roasting
 wraithful speeches, are enough to take off the positive testimony of an ho-
 nest and credible Person, and who had spoken of this report long before he
 thought any improvement would be made of it. Nor is it sufficient to blast
 the Reputation of the Man, or detract from the Truth of what he swore,
 that he could not particularly name the persons that had reported it, because
 as he never expected to be called into question about it, so he had no occa-
 sion to recollect it, till he was served with a *Subpoena* to appear at Mr. *Brad-
 don's* Trial, which was above five Months after the time of the said talk
 and discourse. And besides how many things are there, which a publick
 Shop-keeper, as this person is, may hear his Customers speak of, which he
 would be oblig'd to give an account of the Authors of, at a Weeks end
 Nay, by how much a report is common, (as he says this was at *Andover*)
 by so much are we apt to neglect by whom it hath been particularly related.
 And the more our Understandings are struck with the horror of a matter
 declared to us, the less do we advert by whom it is spoken, and the more un-
 prepared are our Memories to treasure up the names of the reporters. Nor
 was it at *Andover* only, that it was reported the Earl of *Essex* had cut his
 throat the day before he was killed: but the same story, and clothed with
 the same circumstances, was discours'd of before his death in divers other
 places. For I am not only credibly informed, that the Earl of *Essex's* having
 cut his throat, was reported on Thursday, being the day before his death,
 at *Warrister* in *Wiltshire*, which is distant from *London* about eighty miles;
 but there is one *Thomas Cox*, who lives near *Brunningham*, that did positively
 declare, that the same was told him in that Town, the 12th. of *July*, whereas
 my Lord was not killed in the *Tower*, till the 12th. And besides all this, to e-
 vidence a report of that noble person's being murder'd, previous to the com-
 mission of the fact: there are too Informations more deliver'd upon Oath
 at Mr. *Braddon's* Trial, one by *Teremiah Burgin*, that lives at *Marleborough*,
 who

who swears that he heard it at *Frome*, a place 60 miles from *London*, the very day that the Earl of *Essex* died; and another by one *Case* that lives at *Marleborough*, who deposes that being riding on the road within three or four Miles of *Andover*, on Friday in the afternoon, the same day that the Earl of *Essex* was Murdered, he was told by a Person whom he fell in with on the way, that the said Earl had cut his Throat in the Tower. And notwithstanding all the Affrights and Discouragements put upon those two witnesses whilst they were giving their Testimony, and notwithstanding all the scorn and contempt wherewith * *S. George Jefferys* endeavoured to expose and ridicule what they deposed; yet I dare venture their informations upon the Faith of all indifferent and ingenious Men, whether they do not abundantly prove, that there was such a Report spread abroad antecedently to my Lord of *Essex's* Death, or at least before the tidings of it could reach so far, as that he had cut his Throat in the Tower. Only I shall crave liberty to make two or three reflections on these Depositions, and they shall not only be natural and easy, and far from being wrested and extorted out of what was said, but they shall be such as must necessarily beget and strengthen a belief that my Lord of *Essex* did not Murder himself, but was through the Contrivance and Malice of others, barbarously Assassinated by the hands of Ruffians and execrable Villains. And the first is, That it ought to be reckoned as a Wonder, and ascribed only to the over-ruling Providence of God, that will not suffer a crime so hateful to Heaven, and so ruinous to Humane Society, to fall out without leaving some prints and footsteps by which it may be traced and detected, that a Crime so enormous in itself, so provoking and exasperating to Mankind, and which the Authors of, and Actors in, would be loath to bear the ignominy and undergo the punishment that so horrid a guilt subjects them unto, should be communicated so so many and so commonly talked of before the fact. But by how much Revenge is one of the sweetest Passions, and most grateful to depraved Natures, by so much hath it a Power and Virtue in it to cause Men open and unboresom themselves, from the satisfaction which it yields, and the delightful gust that it affords them. And though the Papists were at that time exceedingly transported with joy, partly through their having sham'd a Plot upon Protestants, which they supposed would extinguish the remembrance of their own, and partly from the hopes they had, of appealing the Ghosts of their Tyrannic Martyrs, with the blood of English Heretics; yet they could not but be uneasy in their Minds, to think that the Earl of *Essex*, whom they so peculiarly hated, and whose ability to unmask their de-

* See Bradons Trial p. 37, 49, 50, 51.

signs, as well as interest in the Nation and resentment for being committed, they so much apprehended and feared, should be able to escape their hands, through want of Evidence against him, which made it needful for the Heads of the *Romish* Faction, to let their little clamorous and talkative Volaries know, how they had resolved to use and employ Force and Violence for the destruction of that so much dreaded Enemy, whom mercenary Judges and suborned and picked Juries, would not serve to cut off in the way of Legal and judicial Form. Nor is it improbable but that the Contrivers of this Nobleman's Death, might have resolved the Execution and Commission of the Fact sooner, and that the reason of adjourning it, was to adjust it to the season of *my Lord Russell's* Trial, thereby to make the Murder of the one, subservient and assist to the death of the other; but that those acquainted with the first Resolution, had from a forwardness of obliging their Friends, too hastily given them intelligence of the thing as already done, when it was not as yet perpetrated nor committed, by reason of the latter Resolution. The second observation I would make upon the forementioned reports is, that though they were vented by several Persons, yet they not only agreed in the matter of the Earl of *Archer's* Death, but they accorded also in the way and manner of it, namely that he had cut his Throat. Which plainly shows that it was not vulgarly Tattle vented at random, but that it had its foundation in a previous and fixed resolution that he should undergo that unhappy Fate. Nothing but a steady and determinate cause, can produce a steady and determinate effect. Had the report taken its rise in the jealousies of his friends, or owed its birth to the fearful apprehensions of the common People, they would have rather dream'd of his being poison'd, as being more safe for the Actors to perpetrate, and requiring the accession of fewer hands, than to have ever imagin'd that his Throat should be cut. It is impossible to conceive that the Reports of so many several Persons, should not only agree in the matter of his death, but all harmonize, and center in the very circumstance of the manner of it; unless it had originally proceeded from such as had contriv'd and determin'd both the Murder it self, and the way wherein it should be committed. For when Reports have their foundation only in Mens fancies, they will always vary according to the different tempers, Passions and Complexions of the Reporters. The third Deduction which I would infer from the premised Reports, is that they could not be fictions and forgeries of Lyes and People *Romantically* disposed. For how could so many Persons, and at such distances from one another, and betwixt whom there was never any correspondence, agree and combine together to impose upon the World; and to abuse the Faith of Mankind? And as they all seem to

to be Persons who abhor tricks, and who would not be guilty of spreading, much less of raising a false Report; so it is beyond the wit of Men to declare, how it should come to be the Interest of *Gentlemen* and *Country Trade-men* to be the Authors of such a Story, that my Lord of *Essex* had cut his Throat, before it was done. And for any to imagine that the *Enemies* were the framers of it is to represent them not only Wicked but Foolish, and to suppose they would dis-serve themselves, as well as Slander and reproach their noblest and best Friend.

And what clearer Evidence, or greater confirmation can there be, of the Earl of *Essex*'s not having been *Felo de se*, but treacherously murdered by others, and that they who were the Authorizers of that horrid Assassination, are Persons of great power and interest as God as then that here have been Letters sent, and Proposals made to some Noble Lords near the King, that his Majesty will but grant a Pardon to two or three Men, who shall be named when that Grace is indulged, and that then the whole Intrigue and Mystery of that Hellish Contrivance shall be discovered, and the contrivers as well as perpetrators of it particularly detected, with a full account of all the circumstances of its Execution. 'Tis true I dare not affirm, that those Letters have been shewn to his Majesty, or any Intercession used with him in pursuance of that overture and proposal; but this may justly say, that if they have neglected it, they must needs either know or suspect, that there are Persons of too great Power as well as Quality, interested and concerned in that execrable Villainy. For we can suppose no other motive upon which Men of Honour would decline a service so acceptable to God, and whereby they might avert Wrath not only from the Throne and Kingdom, but from their own Persons and Families, through bringing enormous offenders and execrable Assassins to punishment. But alas! that apprehension they are under, of deriving trouble and destruction upon themselves, instead of being able to expose the Malefactors to Justice, frights them from the discharge of that duty which they owe both to God and Men. The having heard what the Duke of York should say in reference to Mr. *Braddons* name, to that he was travelling into such a business, but that he was resolved to ruin him if all the Law of England would do so, makes every Man afraid as well as sensible what he may encounter if he have the boldness to interpose himself in this affair. O degenerate off-spring of brave and heroick Ancestors! Were it not much more eligible to run a hazard by acquitting your selves as Persons of Honour in discharge of your duty, than to seek for safety by involving your Persons and Posterity, under the guilt of that abominable and villainous Fact. And besides, can they otherwise hope, than that through conspiring at so horrid.

rid a Murder committed upon another Person, and one who was of a rank and condition equal to themselves, they shall at last undergo the same or the like fate, whensoever they have the unhappiness and misfortune to fall under the wrath of a certain Gentleman at St. James's. But over and above the two Letters that were sent to Noble Persons very near the King to be communicated to his Majesty, there was another Letter addrested to the Countess of Essex, and in order to the being conveyed to her Ladyship directed to be left with one Mr. Cadman a Bookseller in the New Exchange in the Strand; the tenor whereof was, That if her Honour would prevail with the King for a Pardon, so one that would discover how my Lord came by his Death, or obtain of his Majesty a Proclamation, assuring forgiveness to any who should come in and discover by whom and after what manner my Lord was murdered, as appeared either of those particulars, the way of the Earl of Essex's Assassination, should be rewarded and laid open with all its circumstances. This Letter was in August last brought by a young woman to Mr. Cadman's Shop, who finding him sleeping on the inside of his Counter, told him that she had brought him a Letter directed to my Lady Essex concerning my Lords Death, which she desired he would read, being to that end left open and unsealed. But Cadman being drowsy and still inclined to sleep, instead of taking notice what she said, thrust her from the Counter, as an officious and troublesome Person, and commanded her to go about her business. Yet having after his being thoroughly awake, both perused the Letter, and considered the importance and consequence of it, he judged himself in prudence obliged to carry it to a Magistrate, which accordingly he did to one *Hinton* a Justice of Peace in *Chancery Garden*, who as I have been credibly informed, went within to one of the Secretaries of State. This Letter as is most justly conceived was written by *Bonemy*; forasmuch as he not only seemed about that time to be under some Remorse in reference to the Death of my Lord, but because some of *Bonemy's* hand-writing being shewed to Mr. Cadman, it appeared to him according to the best of his remembrance and judgment, to be the same hand, or at least very much like to that which the Letter was written in. Thus much is plainly evident, that it must have been written by one that was willing to be known, seeing it was both sent open, and by a Person that was able to declare of whom he had received it. For had the writing of this Letter been only a contrivance to avert the infamy of my Lord's death from himself, and deliver those Gentlemen accused for the Plot, from the consequences unto which the Earls imagined murdering himself, was improved against them; it would never have been left unsealed for Mr. Cadman to read, nor sent by a Person that was acquainted

acquainted with the Contents of it, as it plainly appears the Bearer was, but
 would both have been sealed to prevent *Cadman's* looking into it, and con-
 veyed by a Porter, or some such hand, that would have been less liable to be
 questioned, either about the contents, or the Author of it. Nor do any thing
 more amaze and astonish thinking People, than that notwithstanding the
 many Reports, as well as universal Jealousies of my Lord of *Essex's* being
 murdered in the *Tower*, yet all this time his Majesty hath not published one
 word to encourage an inquisition into the manner of his death, or to secure
 a Pardon to such as shall be able to discover whether he was assassinated, &c.
 by whom, and after what manner he was brought to an untimely end. For
 considering the Obligations which the King, and the Royal Family lay un-
 der to the late Earl of *Essex*, as well as to his Father my Lord *Capel*, and con-
 sidering the many aspersions thrown upon the Court in relation to the
 death of the said Earl; it hath been expected that his Majesty, as well in jus-
 tice to the Family of the *Capel's*, as in vindication of his own Honour from
 the infamy of having a Person of my L. *Essex's* Merit and Figure, assassinated
 in his Majesty's Prison and Palace, would have issued out a Proclama-
 tion, ascertaining forgiveness to any that should be able to prove his being
 murdered by others, & that he did not destroy himself, as some people have
 been industrious to give out. And that which increaseth the surprize and
 wonder, is the consideration of the forwardness which the King hath ex-
 pressed in some other Cases, for the detection of Murderers of this nature.
 For besides the tender of a Pardon, there was the promise of 1000. *l.* to any
 who should discover the murder of Sir *Edm. Godfrey*, and reveal the misfe-
 ants by whom he was assassinated. And I would be loth to think, that his
 Majesty's proceeding so differently in that case, from what he hath done in
 this, was rather to be ascribed to his apprehensions of a *Parliament* which
 was then in being, than to his love of Justice, or the desire of delivering the
 Nation from the guilt of innocent Blood. But I am willing to believe, that
 the reason why the King doth not encourage the discovery of this late mur-
 der of my L. of *Essex*, ariseth from the fear he is in of the persons that were
 accessory to it. For in case he would authorize the detection of the Assas-
 sinates of this noble Earl, he will find himself obliged not only to bring the
 E. of *Sunderland* and my L. *Feverham*, but his Royal and dearly beloved
 Brother, *James D. of York*, to punishment. And who knows but that he dreads
 lest in calling these Gentlemen to account for cutting the Earl of *Essex's*
 throat, he too much hazard & expose his own? Nor is at all surprizing,
 that the K. who had not the courage to resent the poisoning his own Sister,
 by her Husband the D. of *Orleans*, at a juncture when he might have made
France feel the effects of his Justice and Displeasure; should not have the
 bold-

boldness to question his Brother and other principal persons of the Popish Faction, for the assassination of *Essex*, especially at a time that he hath divested himself of all Power to hurt them, and by seeming offended, may only stir up their wrath against himself. For I remember, that when the late Sir *Thomas Armstrong* had come post from *Paris*, to give his Majesty an account how *Orleans* had poisoned the Princess *Henrietta*, that he only replied, *Orleans is a Rascal; his pray thee, Toim, do not speak of what he hath done*. Yet that his Majesty may not excuse himself hereafter, from causing further Inquisition to be made after my Lord of *Essex's* death, by saying he never heard otherwise but that he murder'd himself, I do therefore tell his Majesty, and publish to all the World, That if he will grant an Indemnity and Protection to three or four persons, we shall fully and evidently prove the Duke of *Fors*, the Earl of *Sunderland*, my Lord *Feverham*, &c. to have been the Coniversers and Authorizers of it, and shall name the Russians in particular; who were employ'd to perpetrate the hellish and execrable Fact, with an account of the several sums of Money which they had for the execution of it. Nor ought his Majesty to be displeased, that I arraign his Brother and principal Ministers of so enormous and bloody a crime; for as I write nothing but what I can fully justify, so I take the boldness further to tell both him and them, That if ever there come a Parliament in *England*, this matter shall be laid fully open, and Justice demanded against these impudent and enormous Offenders.

And, as if it were not enough to evidence the E. of *Essex* did not murder himself, but was barbarously assassinated by others, that no encouragement hath been given for the discovery of the Authors of that villainous Fact, notwithstanding all the rumours & reports which have run to and fro, both of the manner of his death, & the actors in it; it receives both a further & a very convincing accession of proof from this, that all means have been us'd to deter Men from enquiring into that matter, & to prevent their detecting what they may know of it. The passages to this purpose would fill a volume merely to relate them; and therefore I shall confine my self to two particulars, which I shall endeavour to deduce & represent, with all the brevity as well as clearness I can. Nor can it in the first place, but astonish the World, to find the Judges with whom the administration of Law & Justice between the King and his People is trusted; I say, to find them contrary both to the nature and end of their Office, & the Oaths they have taken of acting impartially, to brand the meddling in the matter of the E. of *Essex's* death, as a reflection upon his Majesty, an affront to the Government, and a design to involve and embroil the Nation in trouble: For not only the Attorney-General stigmatizeth the report and belief of the Earls being murder'd

by villanous Hands, as * the throwing this ill thing up-
 on the Government which has but coloured upon him. The Prisoner
 [sic] the Chief Justice Jefferys has pleaded for
 the Prisoner, and has been forced to order
 the Prisoner to be hanged and buried in the King's Subject against the Go-
 vernment, and to raise Sedition. Whereas the Government would never
 have been charged with this horrid Guilt, the Chief Justice the head of Affairs
 might possibly have been accused of it, had not these Government involved the
 Government under the Infamy and aspersions of it, and done all they can to
 reach others with the barbarous Fact in the Tower. For as it is not the first
 time that a Prisoner hath been murdered in the Tower, so it is not the first
 called a Reflection on the Government, to endeavour to prove that such
 such a Person was destroyed by violence and bloody hands even if whole Days
 the Coroner's Inquest had upon their Inquisition given another Judgment
 when the chief Favourites of our Princes and first Ministers of State have been
 accused as guilty of murdering a Gentleman imprisoned in the Tower, whom
 the Coroner's Jury had on their Inquisition declared to have died a natural
 Death, yet it was not thought to be an Impairment of the Government, or
 a devolving the Guilt of that bloody Crime upon the Kings Government, or
 a famous instance in Sir Thomas Overbury, who being committed by Order to
 the Tower in the Reign of King James, and there poisoned by the contrivance
 and instigation of the Earl of Somerset, &c. (who was then chief Minister,
 as well as principal Favourite) was brought in by the Coroner's Inquisition
 to have died a natural Death. And yet it was thought no dishonour to the
 Government, to have the Death of that Gentleman afterwards imputed
 to, and to find it proved contrary to the Coroner's Inquisition, that instead
 of dying a natural Death, he was basely and treacherously murdered by vil-
 lanous Hands, through the sedition and contrivance of him who in his
 faithfully served, and with the consent of those to whose care, trust and cus-
 tody, he was committed. Nay, was it not a great Vindication of the Honour
 of the Government, and an Eminent Declaration of the justice of the Na-
 tion, to have the Lieutenant of the Tower, and four or five manner Persons
 executed, and the Earl of Somerset and his Councils convicted and conden-
 ned for that bloody and barbarous Fact, which the Coroner's Inquest had re-
 quited and absolved all the World from the Suspicion as well as the Guilt of?
 And what an Injury will the Judges of the Kings Bench, and his Majesties
 Council at Law, be found to have done the King and the Government by
 their foolish as well as wicked Expressions, that any more hereafter it come to
 be proved (as certainly it will) that the Earl of Essex did not murder him-
 self.

self, but was assassinated by a company of hired *Russians*. We should be
 loth in that case to claim the right of their way of Argumentation, and no
 less in that case to demand that because my Lord of *Essex* was murdered in the
British Palace, therefore it is a crime, when the King was walking there,
 that he should not only the Government ought to be charged
 with the murder, but that the King himself should be charged, and
 that he should be tried. This I must say that according to their method of Reasoning,
 it will be impossible in that case to avoid such a deduction. However it is a
 convincing proof, that the ignominy and guilt of this Noble-man's death,
 ought to be ascribed to others than himself, that the Judges and the Men of
 the Long Robe can find no other way to still the suspicion and silence the
 clamour of the People, but by interposing the Government as a screen to
 shield Malefactors from Accusation; and abusing the Authority of the
 Kingdom, to deter Men from the Duty which they owe to God and his
 Majesty, in discovering so execrable a Murder. Nor is this the only way and
 method they have taken to frighten and discourage persons from discovering
 of the Earl of *Essex* being destroyed by others, without any confession or
 contribution of his own to his death; but they have laid their commands
 and injunctions upon such as they have power and authority over, and
 whom they thought conscious either to the manner of that Noble Peer's fatal
 End, or capable of detecting any circumstances which might determine light
 upon that affair. And therefore knowing that the *Souldiers* who were upon
 Duty in the Tower that morning when the Earl of *Essex* was killed, had not
 only taken notice of several persons, and made observation of divers
 things, from which both the Murther of that virtuous Lord might be in-
 ferred and concluded as well as by whose hands it was perpetrated; but that
 divers of them had talk'd too freely and lavishly of it abroad as well as among
 themselves, accordingly on the Saturday morning (being that which imme-
 diately succeeded to the day of the Earl's death) did a Military Officer after
 they and other *Souldiers* were called together, charge them with the highest
 threats and menaces, that they should not dare to speak of what they had seen
 or heard the day before, adding that whosoever should be known to divulge
 what had passed in the Tower on the Friday in the forenoon should severely
 suffer for it. This divers of the *Souldiers* have confessed and related to their
 Friends, who are willing to testify in which occasion several And among
 others, one Robert *Mew* (of whom I shall afterwards have occasion to say
 somewhat more) declared the whole of this passage to two Men that are re-
 dy to swear, whensoever their Depositions may be of advantage to the pub-
 lick, and can be made without exposing themselves to ruin. It will not be

denied by rational Men; but that the *Souldiers* who were then upon Duty
 in the Tower, had advantages of knowing more in reference to the Earl
 of *Essex's* Death than most other Persons can pretend unto; seeing that as some
 were so posted, as both to see all that went into his Lodgings, and to hear the
 noise and bustle which was made in his Chamber upon his Resistance, and
 the force and violence which the Mischanceurs used towards him, so others
 were placed in that manner, as to observe whence and from whom they
 came, and whither and to whom they returned, that were employed to
 commit the Hellish and Tragical Deed. Nor can any suppose that Men who
 march under the *Banner* of his Majesty, should forge a Story so much
 tending to the dishonour of the Duke and the *King's Ministers*, and so likely
 to displease Persons that had power to censure and otherwise punish them,
 as this of my Lord *Essex* not cutting his own Throat, but being assassinated
 by others, was adapted unto, and would infallibly do. Yes, I do affirm with
 all the sacredness which becometh a Man and a Christian, in a matter of this
 weight and importance, that this is no *Calumny* imposed on the *Souldiers*
 and their Commander, in order to traduce the Government, and enflame
 the Kingdom; but that whatsoever is here affirmed, is built upon the
 greatest Moral Certainty, that an Affair of this nature is capable of. And all
 I do desire in order to the justifying what I have now related and declared
 is only that his Majesty would cause order a *Writ of Review*, or *Writ of Habeas
 Corpus* to be issued out, with an assurance of Pardon to such as shall be
 willing to come on; and be able to tell the by whom, and after what manner
 this Noble Lord was assassinated and murdered. Nor can his Majesty's *Ministers*
 escape this *Dilemma*, either of lying under the Infamy of being con-
 scious of, and accessory unto the Assassination of that Honourable Person, or
 of being obliged to obtain a *Review* of this matter, with a promise of *Indem-
 nity* to those who shall appear Witnesses, and be able to give Evidence in the
 case. And I shall take the liberty further to say, that it is not only the Du-
 ty, but the Interest of those very *Ministers*, who may not be directly concern-
 ed in the Guilt of my Lord of *Essex's* Blood, to promote and second this Over-
 ture and Proposal; and that not only for the honour of the Government, but
 for their own Vindication from being accessory to so enormous and detestable
 a Crime. For the same may possibly come, that their meer connivance at
 the concealment of this Murder, may rise in judgment against them, and
 render them more liable to Punishment, than they seem at present to ap-
 prehend. Our Law which expressly requires the least Officers in the Com-
 mon-wealth, to pursue *Robbers, Fellons, and Murderers*, with *Hue and Cry*,
 or otherwise makes them obnoxious to Penalties; never intended that *Privy*

Cancellors, who by the Duty of their Place, are to watch and advise for the Benefit and Safety of the Subject, as well as the Preservation and Honour of the King, should be esteemed innocent, and not be liable to any Punishment by Law, tho they be found to connive at the destruction of his Majesty's People, and at the involving his Person and Government under an indelible Reproach and Infamy. And therefore, tho it cannot be supposed that those of his Majesties *Ministers* who are directly Criminal by contriving and commanding this Murder, should countenance or encourage an Inquiry into, and a Detection of it, yet it may not only be expected, but ought to be claimed of the *Marquis of Halifax*, the *Earl of Radnor*, my Lord *Falconbridge*, and some others, who have still the privilege of being in the public Manage of Affairs, and admitted to sit in his Majesties Councils, that they would not, both to their own danger and dishonour, as well as the prejudice of the King in his Reputation and Safety, continue to connive at this execrable and barbarous Murder, but that they would apply themselves, as becomes the Duty of their Places, and the regard they ought to have for their own Honour, to obtain of his Majesty what is here desired, in order to the detection of the Assassination of my Lord *Essex*; and the bringing the Malefactors to undergo that Severity which the Justice of the Law subjects them unto.

But as in the preceding *Twice* did not admit sufficient Evidence, that the E. of *Essex* was assassinated by others; howsoever, his Memory comes to be branded for cutting his own Throat. There is a further Proof annexed in confirmation of it from this, That they have not only discouraged and frightened such as might be willing to lay open the whole Mystery of that devilish work of Darkness, but they have beyond all Law and Precedent persecuted and oppressed all those who were either found inclined to inquire into the manner of that Honourable Persons Death, or to have vented what they had heard, which might give suspicion of his being brought to his End, by the treacherous Killany of Bloody Miscreants. Nor shall I here enlarge on the Proceedings against Old Mr. *Edwards*, the Custom-House Officer, who, besides his being shamefully upbraided and slandered by my Lord *Chief Justice* at the Trial of Mr. *Braddon*, was afterwards turned out of his Place, where he had served for 39 Years, and for no other Crime, but affirming his Boy had said, He saw a bloody Razor thrown out of the E. of *Essex's* Window, immediately before the noise of his Death. But that which I shall more largely insist upon, is the Course and Method that hath been steered towards Mr. *Braddon* himself, which as it is without all Precedent, so it hath been extravagant and arbitrary in the highest degree. All, who understand any thing of the

the Law of England, know that in all Cases and Indictments of Murder, except upon *apprais*, the *Charge* and *Accusation* not only runs in the King's Name, but he is according to, and in the sense of the Law, the proper Plaintiff. And there is this reason for it, because as others thro' the death of the person destroy'd, may have lost a Relation, Acquaintance, or Friend, so the King always loses the Subject from whom he was to have Allegiance and Service; and whom by virtue of his Office he was trusted with the care and protection of, and in the sense and esteem of the Law made responsible for. It was upon this account that the Conspirators against the Life, and Authorizers of the Assassination of this late Peer, and to prevent the advantage and benefit which Mr. Braddon would have had in bringing an Indictment of *Felony and Murder* against *Boswell* and others, took the Part of him, and caused an Information to be preferred against him, Of *Subornation and spreading false Reports*, whereby to bring the Government of the King into hatred, disgrace and contempt. And by this means they did not only obstruct the King's being made Plaintiff and Party against the Murderers, which he must have been, in case way had been given to Mr. Braddon getting any of them indicted, but they commence an Action against that poor Gentleman, wherein they make the King Party and Plaintiff against him, and in effect no less than Advocate and Voucher for the innocent of those that were to have been Indicted for a most execrable and barbarous Assassination. Which as it was a most devilish Artifice, for the oppressing an honest Gentleman, who had done nothing but what he was bound unto, in Conscience to God, and Duty to his Majesty; so it was a most villanous and enormous Crime against the King, thro' making him to be the Screen and Patron of those of whom he should have been the Prosecutor and Punisher, and at the same time to be the pursuer and ruiner of a worthy Person, whom he was bound to have countenanced, encouraged, and protected. It would fill a whole Volume to relate the Severities which Mr. Braddon hath encountered, and upon no other score, but because he was willing in order to delivering the Throne and Kingdom from the guilt of innocent Blood, to gather up such Informations as might have served to convince the King of the Murder committed upon the Earl of *Essex* while he was in a special manner under the protection of his Majesty and the Law, being not only a prisoner, but standing committed to the *Tower of London*, where with respect to the Quality of the place, Captives ought to be supposed more safe from violence than in other Prisons. But as it is not a season to present the World with a History of the Sufferings of this honest and ingenious Gentleman, so it were but to entangle and perplex the affair I am upon, to

inter-

interweave it with a large Narrative of another Mans Troubles, tho they all
 spring from his being concerned in enquiring and discovering, how and by
 what hands and means this Nobleman was brought to so far and untimely
 an End. I shall therefore only briefly intimate some few things, which
 may serve to enlighten and confirm the Topick and Head which I am now
 discoursing from. And whatsoever proves the ill treatment of those, who
 keeping themselves within the bounds of Loyalty and Modesty, have endeavoured
 to detect the Assassination of that Honourable Person, does by consequence
 demonstrate that he was not *Felo de se*, but that he was Murder'd by
 the Malice and Violence of other Men. The first unexpected entertain-
 ment which this Gentleman Mr. Braden met with, was his being taken in-
 to Custody and carried before the Council on his having gone to *White-hall*
 to wait upon the Secretary of State my Lord *Sunderland*, in order to inform
 his Lordship what a certain Boy (whom he took thither along with him)
 had reported concerning a Razor, which he saw thrown out of the Earl of
Essex Window, immediately before the noise and report of his Death. And
 not to mention what other Treatment he met with there, which some of
 the Honourable Members of that Board themselves, have declared to have
 been very unbecoming his Majesties presence, and no ways agreeable to
 his Gravity, Wisdom, and Honour of such an Assembly, he was required to
 give 2000 l. Bail to answer an Information for having suborned the Boy, a
 thing very unfavourable to the service he had been performing for the Honour
 of his Majesty and the Government, and very surprising to all indiffer-
 ent persons that heard of it. And tho this poor Gentleman was discharged at that
 time and restored to his liberty upon giving the fore-mentioned 2000 l. Bail
 to answer the said Information; yet his troubles did not end and terminate
 here, but this was rather only a commencement and beginning of the hard-
 ships and oppressions which he was to meet with, for having had the hon-
 our and courage to appear in a business which so nearly affected the Duke
 of York and to many of his Majesties principal Ministers of State. For tho
 they had laid him under a necessity of making all the provision he could
 for vindicating himself from being the Author and Forger of that Report
 concerning a Razor being thrown out of the Earl of *Essex* Window, with-
 out the cry and noise of his death, being that which gave the first suspicion of
 my Bods being Murdered by violent treacherous and bloody hands, and that
 he did not destroy himself, as was endeavoured to be obtruded and imposed up-
 on his Memory and the Faith of the Nation; yet Mr. Braden was not longer
 gone into the Country, to enquire into the truth of another Story which
 very much strengthened and confirmed the suspicion and jealousy that my

Lord

Lord was not *Felo de se*; but this poor Gentleman fell into new troubles and found persecution and oppression awaiting him whithersoever he went. For having received intelligence from a Friend, that on the very day on which the *Bar* died it was reported at *Marlborough* that my Lord of *Salisbury* had cut his Throat in the Tower, he judged it very useful and subservient both to the acquitting himself from the Slander of being the first Author of the Report that my Lord was Murdered by others, and also to the evidencing and clearing up that he really was so, to search into the truth of that Information which his Friend had given him, and to learn out the persons to whom that News had been told, and know, if possible, the names of those who had related it. But while he was going in the search and pursuit of this, which his being obliged under the penalty of 2000 l. to answer an Information of Subornation, had made an Act of Justice to himself as well as a Duty to God and his Country; behold the poor Gentleman was apprehended and committed to *Fleet Prison* Goal in *Whitshire*, by a Warrant the most illegal for the Form as well as the Matter that ever any man was sent to prison upon. For what could be more extravagant and illegal than to seize and commit a Gentleman travelling peaceably on the Road, without an Oath or Deposition of any Witness against him, merely upon a groundless and naked suspicion of being a dangerous and ill affected person to the Government, and for having two Informations about him relating to a *Razor* being thrown out of my Lord *Essex* Window before the news of his Death was divulged, and for carrying two Letters, whereof the contents of one he knew not, and the contents of the other could administer no just offence. But the Form of the Warrant was more extravagant, arbitrary, and illegal than the Matter, carrying in express words this order and command to the *Goalers*, namely, *That he should Lawrence Braddon safely keep, till he should receive further Order from the King and Privy Council.* Which Warrant had the *Goaler* been as mild and foolish to obey, as the officious and doing Justice was to write, the poor Gentleman for any foundation of relief that was left him in the *Mirrour*, might have lain in Prison all the days of his life; unless the King and Council should have ordered his Release and Discharge. But Mr. *Braddon* knowing both his own integrity as to the business he was going upon, and his innocency as to any crime the malice of his Enemies could charge him with, sued out a *Habeas Corpus* to be brought to *London* before some of the Judges in order to be Bailed. But alas! being arrived there, none of the Judges of either Bench, nor Barons of the *Exchequer* were in Town, so that he was necessitated to desire the *Goalers* to carry him before my Lord *Keeper*, which the *Goalers* having accordingly done, his

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Lordship instead of admitting the prisoner immediately into his presence, and allowing him the benefit of the *Stannum*, was pleased to adjourn the seeing him till the next day, which command that he should be then brought to the Council Chamber in *Windsor* being in obedience to the said Order carried, he was till an hour naming called in before my Lord, and found together with him my Lord *Grey*, and my Lord Duke of *Gloucester*, and Mr. Secretary *Jenkins*. It would be both to enlarge their Papers beyond the bounds allowed to them, and to depart too far from the essential part of the Subject I am upon, to relate the whole entertainment, which I have been told Mr. *Braddon* did there meet with. Only it may not be amiss to remind my Lord *Kemp* in a few words he quoted out of *Troilus*, and to subjoin the Translation of it into English, as a certain Author hath rendered it. For having upheld the poor Gentleman as one that had a design to save and advance himself by furtiveous courses (which God knows the endeavouring to detect the Earl of *Essex* Murder, was not as the present posture of Affairs stands, a very likely method unto) he quoted that of the Poet, to give an edge to his *irony* and *Sarcasm*.

And you may easily hope to be a Lord
But by better and contemptuous Language,
*as well as great Treachery, might have easily been opposed with, had put the Lordship to lose him the benefit of the *Stannum*, of being admitted to be bail, and he would procure Sureties who together with himself might stand bound in 10000 £ for appearance. A thing to worth considering the quality of the Prisoner, as well as unjustly considering the nature of that which they filed his Offence, that he had both acted an offence, should he have engaged himself, and Friends in Bonds so much above what he was able to discharge, and injuriously so others, should have defended to follow his demand, and which might afterwards be improved into a *Excuse*. After upon finding, after divers Applications, that the Lordship was not to be wrought to a mitigation of the sentence, and that he would not be prevailed on to take the *Goodly Bail* which was offered, the Gentleman rather than be remitted again to Prison, the Council, was forced to comply to what committed to the *High Sheriff*, who was ordered where he continued for six weeks, as the charges and into *Essex* prison.*

for *Black*. During which time he applied himself by way of Penitence to the Majesty in Council, but alas, without that success which he hoped for, which most men are apt to ascribe to the King's being displeased by my Lord Keeper concerning his case, so that despairing both of all Justice from my Lord Keeper, and of all Favour from the Council Board, and groaning as well under a close Confinement, as those excessive Charges he was at in the *Hospitals* House; he judged it the best method he could take, to endeavour the getting himself turned over to the King's Bench Prison in *Southwark*, reckoning that he should not only live there at a more moderate Expence (which the narrowness of his Fortune obliged him to consult) than was extorted from him at Mr. *Atterburys*, but likewise expecting that upon giving security for his true Imprisonment, he should have the Liberty of the Rules, and thereby enjoy a more open and free Air, than he did in the place where he was before. But as it was with some difficulty, and after earnest application as well to my Lord Keeper, as to my Lord Chief Justice, and the *Attorney General*, that this small kindness was obtained; so after his removal to the King's Bench, by Vertue of a *Habias Corpus* from my Lord Chief Justice, and after this, having given a good Security for his true and true Imprisonment, yet he was by an Order from my Lord Chief Justice the Master of the said Prison for his close Confinement, denied the Freedom of the Rules, which he had not only promised himself, as a thing that was in course allowed, but what the Keeper of the Prison had consented unto, and without the granting whereof, he could not according to Law, demand Bail and Security for his true Imprisonment. *Yes*; for a short time, and illegal were they in all their Actions against this poor Gentleman Mr. *Black*, that notwithstanding his Imprisonment, yet they refused to discharge him from the 2000 *l*. Bail, which he had given at his first appearance before the Council to answer an Information of pretended *Sabotage*; and also notwithstanding his close Confinement, they withheld from him, and positively denied to give up the *stock* & Bonds, which he and his *Family* had entered in to for his being a true Prisoner; nor would they so much as restore him the Fees he had paid upon the finding of them. And it being now the long *Passion*, and there remaining no way of helping and relieving himself till the Term, he was forced both to continue a close Prisoner under no less expence than 2 *l*. *per Week*, and make under the weight and terror of the 2000 *l*. Bail, which they had wrested from him. But he was denied the favour and benefit of the Law; and found neither Justice nor Mercy in Men: yet he could not be right of the Conscience of a good Conscience, nor deprived of the refreshments and supports which the knowledge of his own Integrity

and judgement, and in this time him, and I have been fully informed by credible hands, that neither the troubles and oppressions which he lay then under, nor the further persecutions and sufferings he was in prospect of, were able to give him any compulsion, or create in any vexatious grief in himself; nor yet to transport him to a behaviour in word or deed that could furnish his Enemies with an advantage against, or yield them matter for railing over him. In this state and condition he continued till *Michaelmas Term*, which being come, and the *Westminster Courts* begun to sit, he caused move the *Court of King's Bench* the very first day for a *Rale* to the *Marshals* to bring him up the next Morning, in order to discharge the Bail he had given by appointment of the *Council Board* about the answering an information not pretended *Subornation*. Which Rule being granted by the *Courts*, and obeyed by the *Marshals*, his Appearance was recorded, and his Bail discharged. Now having succeeded in this which my Lord *Keeper* had refused in the time of the *vacation* to grant him, the next step he took was for the obtaining his own *Liberty*, in order to which, he did on the Fifth day of the Term move the *Court* for a *Habeas Corpus* to be brought up and *Bailed*. Which being also immediately granted, he was after a few days, and a little delay which I shall not complain of the occasion of, brought up to the *Court* of the *King's Bench*, and there discharged from his Imprisonment upon the giving 300*l*. Bail, whereof himself stood bound in a Bond for 200*l*. and his four Sureties in 50*l*. a Man. From all which we may not only collect the hardship, and oppressions which this honest and worthy Gentleman met with, merely for enquiring into the Truth of some Reports, which if admitted, do clearly prove that the *Earl of Essex* was Afflicted by others, and did not Murder himself; but we may also observe and infer, that what an arbitrary and illegal Manner, His Majesties Subjects are treated by some of his judicial Officers, as well as Prime Ministers, for attempting to discover a most execrable and barbarous Murder, wherein the *Duke of York* and the chief Heads of the *Royal Faction* would have been deeply concerned and involved. Nor did Mr. *Bradshaws* troubles upon this account stop here, all these things being only *preliminaries* to what he was fether to encounter from the rage and malice of *St. James*; and therefore the next Scene that opened, was the bringing him to a Trial for endeavouring in the *Earl of Essex's* Death, to cast Aspersions upon the Government, and Defame the King. And all I would desire of any unprejudiced and impartial Person is only to read the said Trial, being fully convinced that he will thereupon not only acquit the Gentleman from the guilt of any such thing, but that he will find himself obliged in conscience

to acknowledge that there was barbarous Villany used in bringing my Lord of Essex to that fatal and shameful End. And the first thing remarkable as an Introduction to that Trial, is, that my Lord *Charles* was not only that morning for some time at *Whitehall* before he went to *Westminster*, but was attended upon by Lord *Peverham* (whom we have reason to account of being one of the Counsellors and Auditors of the *Barbours* Murder) at the lighting out of his Coach in *Westminster*, and discoursed with both as he was conducted thro the Hall, and in a corner near unto the Court, before his Lordship ascended the Bench. Which hath given many men ground to suppose, that his business at the said place was to receive such Instructions as he was to follow and attend unto in the work of the day, and that the reason of the others attending and discoursing him where he did, was to impress him with a firm sense of the danger that was to be before him, and to represent the dreadful consequences which would ensue to the *Duke of York* and his Majesties Ministers, in case *Mrs. Braddon* should come to be acquitted. And whosoever did either approve the behaviour of the Bench at that time, or hath since read the *Trial* (wherein what was said on all sides may be related) yet the Gesture, Countenance, Passion, Heat and Air with which many things were spoken, cannot be represented, must be forced to acknowledge, that any Lord Chief Justice and his Brethren, were rather worn parties against the Defendant, than equal Judges in a cause betwixt the King and him. I should be obliged to transcribe most of the *Trial*, did I undertake to give an account of the ungentle, illandrous and malicious Language vented against himself; of the interrupting, menacing, and hectoring of his Council; of the imposing upon, prescribing unto as well as blaming the Jury against him; and therefore instead of that I entreat and desire the World to do both themselves and Mr. *Braddon* that favour as to peruse the *Trial* and if in their Hearts they subscribe not to what I say, I am contented to undergo the character both of a person that understands nothing of the Rules and Measures which ought to be observed in Courts of Judicature; and of one who is not sufficiently respectful of his Credit and Fame in the things which he delivers. And if it be not wonderfully mistaken, there is nothing more needful, but an impartial reading and weighing of that *Trial* for the Vindication of Mr. *Braddon* enquiring into the Reports which seem'd to imply that the *Earl of Essex* had not killed himself, nor to justify his innocency as to the crime whereof he was accused, namely * *Of maliciously conspiring* *Braddon* *Trial*, and *endeavouring to defame the Government*, and as Justice *Wilsons* was pleased to express it, *Of charging the King*

and as it was said in the Indictment, Of his procuring and suborning false Wit-
 nesses to prove that the Earl of Essex was not a Felon of himself, but was killed
 and murdered by unknown persons. For admit that all which was sworn
 concerning a bloody Ransom being thrown out of my Lord Essex's Window
 immediately before the news of his Death, and that all which was Deposited
 concerning a Report in City and Country about his being cut in the Throat
 before he was dead, were false and only invented by the Informers, yet as it
 is evident by the Oaths and Depositions of the Witnesses, that Mr. Braddon
 was not the Father of these things, so it is demonstrable that they were
 in their nature of that weight and importance upon which a wife as well as an
 honest Man, might suspect that my Lord had not murdered himself, but
 was betrayed by others. Nor could the Gentleman have ever been found
 guilty, but by means of Mercenary Judges, and an over-aw'd as well as a
 pack'd and prejudiced Jury, who will boggle at nothing, tho' never so
 unjust, that may but gratify the great Admirer St. James's, and oblige his Ma-
 jesty's Ministers of State. And the reason, as I have said before, upon which
 Mr. Braddon came to be Convicted and found Guilty, was plainly to screen
 the Duke of York and some other persons from coming to be involved in the
 guilt of this Noble Mans Death, and to keep up the belief
 of a Protestant Plot, which (as Justice Widdimshurst saith)
 it was likely otherwise to be lost in credit, and to be esteem'd
 as a Spanish Plot for the raising up of innocent Protestants
 &c. Nor was the whole Trial against this worthy and virtuous per-
 son, more extravagant, arbitrary, and illegal, than the Sentence against him,
 upon the Jury finding him Convict of the Indictment, was unjust and re-
 verend. For besides the condemning him in a Fine of 2000 l. which is more
 than his whole visible Estate amounts unto, and expressly contrary to the Law
 of the Land, which requires that no Man shall be fined but with a *Salvo con-*
munibus, i. e. the leaving him as much as may support him in some degree
 answerable to his quality, they have over and above ordered his finding
Servant for good Behaviour during life, which as I question whether it be
 lawful by the ancient and Common Law (tho' it hath been sometimes practis'd)
 to any more than to condemn a person to perpetual imprisonment,
 is plain sure there is no Precedent to be found for the like, in a matter that was
 not of a more criminal and heinous Nature. But all serves to prove, that who-
 soever hath the courage or honesty to ravel into the Earl of Essex's Death are
 to be persecuted, oppress'd and ruined, and by consequence serves to de-
 monstrate, that there is a villanous mystery in the manner of his com-
 ing

ing to this fatal End, which they are afraid to have searched out and detected.

And as if it were not enough in the judgment of all rational men, to acquit and vindicate the Earl of *Essex* from the guilt and infamy of having destroy'd himself, that those have been prosecuted with the utmost Severity, and oppress'd in their Estates and Liberties, who with all imaginable fidelity towards the Government, were willing to enquire into the manner of his Death, and to declare their just Suspicion, with the grounds of them, to Persons trusted with the Administration of Affairs, that he did not murder himself, but was assassinated by others. Behold, that as one Crime is not to be concealed, but by the perpetration of more, so the Conspirators and Authorizers of that Noble Mans Death, have proceeded to the murdering several other Men, who as they had a perfect knowledge and comprehension both of the manner of the Fact, the villanous bloody Agents who were immediately instrumental to commit it, and the Persons who employed, rewarded and encouraged them, so they had been guilty of what some will call Indiscretion, to communicate to others what they had seen and observed, and too fully made good themselves. Amongst others who partly saw, heard and observed themselves, and partly learned from others several circumstances relating to the matter of my Lords Death; there was one *Atack*, a common Sentinel, who had stood on Duty all that morning, near unto the Place and House where the Earl of *Essex* was confined. For whereas on other days the Sentinels used to stand but two Hours at a time on Duty; there was care taken that morning, that those who were on Duty when the King and Duke came into the Tower, which was about six of the Clock, should not be changed till both after the time of the Earl of *Essex*'s Death, which was about 9, and till after the King and Duke's departure from thence, which was about half an hour after. And the reason of this is, obvious, to wit, that though it was impossible to keep all Persons from seeing who walk to and fro, and what was transacting, yet they resolv'd to preserve it in as narrow a compass as they could, and to admit of as few to an opportunity of observing Persons and Things as might be. Whence it came to pass, that those Soldiers who carried upon Duty at Four, and should according to course have been relieved at Six, were suffered and obliged to stay on till Ten. Now this *Atack* having an advantage from the post he was in, of observing the several Persons that went that morning to my Lord *Essex*'s Lodgings; and having partly himself seen, and partly learned from others, divers material Particulars relating to the manner of the Assassination of that Noble Person; it will be easily acknowledged, that he was as

capable

capable as any to detect it, or at least of setting those who should have the honesty, courage and zeal to enquire after my Lords Death, to far enough as to be able to unravel that whole Villany and to trace it not only to the Instruments, but to the Original Authors and Contrivers. This poor Fellow both abhorring in himself what he had seen, and conceiving the greatest detestation imaginable against all the Villains who had been accessory to it, was neither able to conceal his knowledge of what he had seen, nor his resentments of so horrid a Fact, but at the same time had not the prudence to distinguish betwixt Persons, who without damage to the Author, might be consulted with for important Secrets, and those who at first would seem farward enough to hear it, but would wishal make their advantage by revealing it to such as would reward them and destroy him. Whence it unhappily came to pass, that this poor English man, not only related it to such as were honest and faithful to him, and who will be ready in due time to testify the whole of what he acquainted them with, but to others who conveyed it to St. James as a piece of important Intelligence, and of wonderful consequence to his Royal Highness. And tho it be not yet seasonable to recount the several Particulars relating to that barbarous Murder, which he declared upon his own knowledge as, well as the confirmation of others, yet I may take the liberty to digest and branch them into their several Heads, and to let the World know that some of them were such as preceded his death; others accompanied it, and others yet came after it. Wherefore that he might tell no more Stories, nor rise up as a Witness against the Assassins, this poor unfortunate Fellow was secretly murdered and thrown into the Tower-Ditch. And there are several Particulars relating to his Death, which are not unworthy to be known to the World, but it were to advantage the Confidants, and no prejudice our selves to mention them at present. Only this is remarkable, that in this Robert Mace was for some time before his Death, a very apprehensive of the danger he went in of being privately destroyed for what he had declared concerning the Fellows being murdered, so he had a greater dread of it the morning before he was killed, than he had been possessed with at any other time. And therefore from that alarm which his mind suggested to him of his impending danger, he begged of an Acquaintance and Friend that morning before he died, that he would have leave expressed and kept with him for that day. But such was the poor Fellows Fate, that tho he told that Person the apprehensions he was in of being murdered, and he from a tender and belief of it, had left his work with a resolution to quit him in the evening, whether from jealousy he might have of his own Safety, or upon what other motive I shall not enquire, he stole away from

and forsook him before twelve of the Clock. But tho' the Conspirators and Assassins had thus by a second Murder delivered themselves from the apprehensions they were in of being detected for the first, yet there arose another Person, who as he had better opportunity of knowing the whole Mystery of my Lord of *Essex's* Death than *Mack* the Sentinel had; so from remorse of Conscience for what he had been accessory unto, and from an abhorrence of that bloody Fact which he so well knew the Authors and perpetrators of, he began to discourse and communicate it with frame and boldness to others. The Person whom I mean was *Mr. Hawley*, a Warder of the Tower, who lived in *Winchester Street*, being a Person both for Reputation and Estate, far above that *Hawley*, in whose House the Earl of *Essex* was Prisoner when his Throat was cut, and therefore one without whose knowledge, consent and contribution, it cannot be supposed to have been done, and by whom he was not only more capable than others to detect the whole villainy of that Noble Mans Death, and lay open the enormous Crime in all the Parts and Circumstances of it, but was of better Credit than the Sentinel, and more likely to obtain Belief from the World in what he should declare, by so much was he to be esteemed for a most dangerous Person to the Conspirators, and so detested as one from whom they might dread the most fatal Mischief to themselves as well as their cause. Hence the Intelligence was no sooner conveyed to the Duke of *Tork* and the rest of the *Juntas*, that *Hawley* had been talking such things concerning the Earl of *Essex's* Death, which concerned them no less than both their Lives and Honors to have concealed, but they resolved to destroy him and thereby prevent his prating for the future, and being able to tell any Tales. And being informed that he was inquiring where he might purchase an Estate, they employ one to tempt him out of Town, under pretence of his seeing a parcel of Land that was to be sold. For they thought that should they cause murder him in or about the City, it would fill all men with jealousies of their being guilty of his Death, especially considering the Reports which went of them, and the Suspitions that they lay under of having caused *Mack* to be killed. And therefore in order to the getting him destroyed with the more Secrecy, and the administering the less apprehension about the Authors of his Death, they prevailed on him by the Bait and Temptation which I have mentioned to take a Journey into the Country, whence having resolved that he should never return, they employed some to dogg, and others to way-lay and murder him. And with that Secrecy as well as Obedience, were their Orders and Decrees executed, that it was a considerable while after his Death before he could be heard of, or his Body found. But when after long search and enquiry after him, his Corps were at last found, there were all the Marks and Symptoms of a most barbarous As-

Satisfaction perpetrated upon him, which malicious Wit could invent, or en-
 raged Jealousie and Revenge act or commit. For besides divers contusions
 in the Head, Face and Breast, from the Blows he had received, it appeared
 plainly, that he had been also strangled. And as he had never admitted
 cause to any other Persons, save the Conspirators and Instruments of the
 Earl of Essex's Death, upon which we can with the least Shadow of Reason
 fancy his being murdered upon a personal and private Revenge: So there
 are Proofs ready to be produced, whensoever either a Parliament comes,
 or a fair Trial can be obtained before upright and impartial Judges, not only
 by whom he was destroyed, but by whole Command and Authority. Nor
 was his Wife untenible and without apprehension, even before the Body was
 discovered, both that he might be murdered, and upon what motives
 and inducements it was done, so that the told some Friends how he dreaded
 the consequences and effects of his having so often discoursed about the Earl
 of Essex's Death. Yea, there is one *Glover* who is a Servant to his Majesty,
 being at present a *Warden* in the Tower, who being in conference with some
 People about the Earl of Essex and Mr. *Braddon*, was pleased with more
 than an ordinary emotion to say, *Hawley also hath been murthered, but he was*
fain to tell for it. But the same Person being asked, after it was
 known that he had been murdered, what he thought of Mr. *Hawley's* walk-
 ing, appeared exceedingly disturb'd, and said, He knew nothing of it, nor
 would he have the patience to hear any thing spoken about that matter. So
 that we have here another Evidence, that the Earl of Essex did not, as he
 hath been defamed and slander'd, cut his own Throat: but that this Red-
 son of Incomparable Merit and Virtue, was massacred by wicked and unpur-
 sued Ruffians. Seem to prevent the discovery of that heinous and execra-
 ble Fact, two other men who had advantages of knowing both the Actors
 in, and manner of his Death, and had talk'd somewhat freely about it,
 and seem'd fit to reveal it, were barbarously killed.

And as the destroying as well as oppressing those from whom the World
 might receive light about the murder of that Noble Peer, plainly shews
 by whose Councils and by what Means he came to his fatal End; so the
 countenancing, protecting, and preferring those who are justly suspected
 to have been deeply instrumental in it, and who only in this would have
 been publicly indicted for it, had it not been partly for the discouragement
 given by the Court, his Majesties Ministers of State and Officers of Justice,
 and partly for to expose men to that hazard, when they must necessarily run
 by engaging in this Affair, affords us a new proof of his Lords Innocency
 from being *Fellows*; and that the infamy and guilt of his Death ought to

be devolved upon others. These are cases wherein a Suspicion of guilt may be
wait on some Men, that others do never so well persuaded of their Inno-
cence cannot without Offence of Discretion and becoming Shame and
Reproach and Dishonour which attends them, give them either the least
Countenance or yield them any Testimonies of Favour and Kindness: till
they have vindicated and acquitted themselves from that wherein they are
Suspected, and which common Fame accuseth them of. And as all persons
pretending to Wisdom, or who are regardless of their Reputation will not
count themselves obliged to act under the Conduct and Guidance of this
Rule and Principle: so of all Men, those in Authority are most concerned
not to take upon them the sheltering of those that are alighted with infamous
Crimes: nor to Countenance and advance such whom the cry of the
Kingdom chargeth with a barbarous, enormous and execrable Fact. As
to that Impudence in Yulany as well as contempt of Honour and Credit are
the Duke of York and the Gentlemen of the Popish Junto and Cabil accused
that they not only cause secretly Murder, such as would discover great and
hainous Offence against God and Mankind, but they dare openly and in the
face of the Sun, both protect and prefer the Chief Murtherers and Ruffians
whom all sober and impartial persons have in Suspicion for it. It must ne-
cessarily be acknowledged that in case my Lord was Assassinated by violent
and bloody hands, his *Kates de Chambers* Roomy the only Servant who at-
tended him in the Tower, save a Footman, must be acquainted with it, and
accessary to it. And so many as well as weighty were the Arguments of his
being guilty of his Earl and Masters Death, that he was fully suspected for
it, both by the rest of my Lords Servants and all the thinking honest peo-
ple about the Town. And tho' I shall have occasion hereafter to mention
divers particulars, and recount several Circumstances which not only serve to
lay him under a Suspicion but to Convict him of being accessary to the Death
of his Lord, yet I care not if I relate one at present, namely the apprehension
he was in, and the trouble he expressed, so one of the body of these
Gentlemen, upon a Report which he had heard that my Lords Murther
was to come under a second Examination, and that the Body was to be
taken up in order to a review, for was the Countess her self for all the impres-
sion which long great Men had endeavoured to put on her with, of my
Lords cutting his own Throat without a strong apprehension to be contrived
nor void of jealousy of this French Fellow being guilty of her Lords
Deaths, which made her discharge him her service and dismiss him out
of the family. And as no Gentlemen in England would have suffered the Duke
to foolish a thing, or to unworthy of himself, as to cherish and entertain

such a Rascal, for it least of all became the Honour of the Court, unless there
 were a further Mystery in it, than the World is aware of, to take him bounding
 to their Protection, and to advance him to an Employ and Office: For in these
 times a little observe and require what favours this Rascal, under all the suspi-
 tion and infamy of being accessory to his Lord's Death, hath met with, both
 from his Majesty's Ministers of Justice, and from the principal Persons at
 Court, and chiefest Officers of State. Can he less than a Reflection both
 upon the Honour of the Government, and an insinuation that Great Men
 were concern'd in that horrid Fact, whereof *Bonemy* is justly suspected; that
 my Lord Chief Justice at Mr. Bradshaw's Trial, after he had been affronting,
 interrupting and heckling all the Witnesses for the Defendant, steps in, not
 only to shut and receive *Bonemy* in his Deposition, guiding him to say a Ra-
 scal when the Rogue had said a Penkese, but durst represent the Victim un-
 der the Character of a *good honest* Man, and *very* ready and *ready* to
 Bradshaw's Trial. My Lord was confirm'd by 34 years experience of his Sec-
 rary, and that he was not an upstart and wandering Fel-
 low's. Yes, the opinion that this Woman was in with our Grandees, and
 which by consequence proves that she is a Mistress in the murder of the
 Earl of Essex's Death, which is not yet fully discover'd, seeing there who
 are deferredly suspected to have been accessory to it, are favoured and
 befriended by them, may be further confirmed and confirmed from the
 correspondence which *Bonemy* had with the Secretary of State, when he lay
 confin'd in prison, and the readiness he expressed to converse with any
 that presented to enquire for him in Sir *Lopham Jenkins* Name, when he
 was in prison, and the very body behind. For a certain person having occasion to
 call on his Lady, in order to subpoena him to Mr. Bradshaw's Trial, and
 being positively told that there was no such man there, took the boldness to
 say he came from Sir *Lopham*, upon which *Bonemy* immediately appeared,
 and he who was told not to be there before, next forth with all imaginable
 readiness, to receive the Secretary's Messenger, and to know what his His
 Majesty's pleasure was. And if these two passages which I have related be not
 enough to evidence the kindness which his Majesty's Ministers had for this
 little and infamous Creature, I shall subjoin a third, importing the care
 which the Greatness about the Court took in him, and the Respect they show
 him. For when he seem'd to be abandoned by all others, and knew not
 where to be admitted into a Service, by reason of the suspicion he lay under
 of being either an instrument that murder'd his Lord, or who had consented
 to the doing of it, behold the Duke of *Tork*, and the Officers of His Maje-
 sty's Forces, embrace him under all that Ignominy and Reproach, and lift
 him

him to ride in one of the Troops of Guards. Nor is it possible for any man, without renouncing his Reason, to imagine that the Duke of RAZ, or any other persons of Figure and Quality, should expose themselves to the Censure of the World, in entertaining a fellow Judge of so enormous and abominable a Crime, unless they themselves had been accomplices in some way or other to that execrable Wickedness, and except they judged the Rascal to have merited by the Fact.

But to put it beyond all possibility of any rational Contradiction that the Earl of Essex did not cut his own Throat, but that he was massacred by others; I shall demonstrate the impossibility of it, as the manner of his Death is represented in the *Commons Inquiry*, and declared in the *Deposition* of the *Chirurgians* who view'd the Body, and search'd and examin'd the fatal Wound. And where there is a natural impossibility that a thing should be so, or so done, all the Informations of the World to the contrary serve to no other end but to declare the Perjury of the Informers. A matter that is naturally impracticable ought not to be credited, tho' never so many should have the impudence to swear they saw it done. But as the rage of the *Commons* and *Assessors* transported and hurry'd them to commit the barbarous Fact in such a manner, that all who have not absurd common sense as well as reason, must acknowledge, that it was not practicable in that way and manner, or anything that could be done by the Earl of Essex himself, in their malice corrupted and blinded their judgments to that measure and degree, that the Informations which they have chosen and plac'd upon as the *Testimonies & Means* by which it was done renders the doing it by myself impossible in a full and unworthy to be believ'd, except by the greatest of Fools, or the worst of Knaves, who never consider how far a Master or there is or can be true, but only what may conduce to their Profit, or justify their malice, so take up and adopt. And how conspicuous is the Wickedness as well as Iniquity of God, in intruding Villains Men to accomplish and perpetrate their Crimes, at that their Folly and Deceit their Guile, and the Marks and Characters of Stupidity as well as Impudence upon the Fact shall reveal the Authors of it, let them do all they can to transfer and abdicate it from themselves, and to charge and lay it upon others. Now the *Commons Inquiry* in their *Inquisition* under the Seal of July 1685, concerning the Earl of Essex's Death, do declare the manner of his Deposition of such a Wickedness as they thought fit to examine give us the account of the way and manner of it. That the Earl of Essex was on the 26th day of July, *found in his Chamber, and with a Rascal* (as they call him) *by his Threat, forcing into himself the fatal Poison*, and that the

readily acknowledge and confess to what is a terrible Reason, that it was
 impossible that the Body of a Man should have received such a wound
 as that which I throw in the manner it appears to have been done. For the
 Razon being in the whole length but four Inches and a half and two Inches of
 these being necessary at the least to be held and grasped in the hand in or-
 der to do such a managing of it as was necessary to have done, and
 two or three and a half Inch more, it would be needed at the least, and
 a galls made, which extended no less than eight Inches from one eye to
 the other. There is no Man that is versed in Chirurgery or the Anatomy
 of the humane Body, that will find himself obliged to own, that it is al-
 together impossible that after the cutting the one Temporal, there should remain
 life and strength for carrying forward the Wound to the dividing the other.
 Nor can there be any thing more certain in Nature, than that there would
 have been such an effusion of Spirits and Blood upon dividing the first
 that all Life and Motion would have immediately ceased, and that there
 would have been no strength left to push forward the last wound to the se-
 cond, so as to dissect it. Besides, there being no more of the Razor than the
 side and which held the Razor, than about two Inches and a half, the whole tool
 could be used and applied to the making the Division in the Neck, so that
 it is possible that a Gash or Wound of four Inches deep, out of the middle part
 of the Neck, where the Trachea terminates, could be made by such a
 fragment of our Razor and a half long. These things being so, it is im-
 possible, it necessarily follows that the Fragment of the Razor must have
 fallen, and that this bloody murder was committed upon him by the hands of
 bloody and drest Russians. Nor indeed was a Razor the instrument which
 they made use of upon this villainous Occasion, but it was one of one or an-
 other kind as well as form and figure, and which as they had prepared and
 provided on purpose, so it was much more convenient for the execution
 of the Fact, in that it would have more easily penetrated the Neck, and have
 suffered a chance to have been by the naked Body, or to have not been seen
 by any honest and indifferent persons who might stand in among others,
 to view and look upon the bleeding Corps. And of all the instruments which
 they could have thought upon, a Razor, especially of the Russian, which that
 was, that they threw down by my Lords Lady after they had murdered him,
 was the most unfit for an Instrument in the Turin, in those dimensions, at
 the Wound where they desperately killed him, evidently appeared to
 have been a certain Gunner in the Tower, who may be supposed not al-
 together a stranger to the Affairs, pitched upon more convenient and
 proper

hence in the matter and case that we are discussing of: For Ruff being
the first of the party when about nine of the Clock that
my Lord in a place far the distant from
the Palace of the Duke of Exeter had cut his Throat with a Case-Knife
whereas he had been having a Pigeon for his Breakfast. And had they
not been so situated, they would have rather order'd such an Instrument to
be sent for by the Post, in order to kill and destroy the World about
the manner of his Death, than the small French Razor which I have describ'd
before, which they have endeavour'd to make men believe the fatal
and fatal Wound was made. But if a Parliament come to sit again in England,
or if but Maichy will grant a Pardon to such Wunderras we are ready to pro-
duce, and allow a Wit of *States Inquirement* concerning the Death of this
Noble Peer, some equal and impartial Judges, we shall both describe the
Instrument he was killed by, and expose the truth of what we say by persons
who saw the whole bloody and tragical Transaction, and are as Accessaries
too far concern'd in that horrid Murther.

Not want there proofs of my Lord's being treacherously assassinated by
others, and that he was not a Foe of himself, from the Testimonies of those
very Wunderras, which were produc'd both before the Common Council, and
at Mr. Bramble's Trial, to prove that the Duke of Exeter had cut his own
Throat. And now it may be pardonable in the Character upon the Imposition
into the manner of my Lord's Death, to have admitted the *Depositions* of
Bramble and Ruff, these being not then so full suspicions of their guilt in this
matter as afterwards they were. Yet when my Lord's Case is put to allow them
as competent Wunderras in that point, which the presumptions of their being
accessary to this Murther were, it is as if they had actually appeared before
the whole Court and presence of that which was sworn, and alledged in
Mr. Bramble's Trial, at the forefard Trial, was the greatest persons magi-
strates of Justice, and a great criminal partiality. For these Wunderras
were not only so situated to destroy either the Murther pro-
posed for my Lord's Death, or the Murther actually done, but they were
that in case the Duke of Exeter was treacherously murdered, being
the only Servants who then waited upon him, and so in a Room, or at
least in a Gallery to it. And who to this Day are still a Fellow under
the French Intemperance of Guilt, to be a Wunderras in history, Cause, and
to show a testimony in a different Manner from the most proba-
ble and reasonable Cause that could be conceived, and which as
has been said, we have taken upon him the several possi-
bilities, and the fact may be said of my Lord's Trial, that it was a partial
and a treacherous one, and that it was a Trial to put for good and legal
dence

done in the matter and cast that we are discarding off: For Ruffel being
the person who this morning my Lord was made acquainted with, and
with his Mother, and likewise have been taken in, and is an Attorney
for the Cruelty that was committed on him. Now as it is otherwise
thought than that he who committed the crime, and who is now
reposed in him, instead of assisting and defending my Lord when already
afflicted, would counsel him, or at least, comfort him, the counsel and
comfort upon him, should be, for the living man, and not for the
punishment of the said Crime, transfer the Punishment from himself, and
charge it upon my Lord: For as Ruffel was let at my Lord's door, to prevent
any endeavors which might have been used by himself or others for an
Escape, from the view of his being posted there, into the hands of the
Justice should be committed upon the Persons: But as a man of sense
further enlarging upon it, shall in proof that my Lord of Essex did not
murder himself, but was assassinated by some persons, who had no other
that are in the Informations of the Witnesses about the manner of his Death,
and the Circumstances relating to it; and now they all agree but only one
with another, but partly themselves in their Testimonies. It has always
been observed, that in the trial of a man, if he is charged with a crime, and
is taken to swear falsely, when such Testimonies, instead of being either
harmonious and coherent in themselves, or consistent and agreeable one to
another, do both interfere with, and contradict themselves, and each other.
For as Truth is always uniform and consistent to itself, and does not
our and various. Now, that this may the better appear, and that as man
may see I do neither impose upon the Witnesses, nor endeavor to de-
ceive the World, I shall transcribe the words of the Witnesses, as they were
by Deane and Ruffel before the Court, and the Words, when they lay
my Lord's Body upon an Inquisition after the manner of his Death, and by
whom means he came to his fatal end. Paul Binsley in his Deposition made up-
on Oath the 14th of June 1682, said, That on the 14th of June 1682, I was at
Hawley's, which was a place of execution, and that I saw a man, who was
brought to give the Death, which was done to do. To which the Informant added,
that being come in by the back door, he saw the man, who was brought in, and
accordingly sent the Prisoner with a Nail for several times, and that he
saw the Nail, and the Prisoner was inserted; and that the Prisoner was
given to him by my Lord's Servant, who sent the Prisoner, and that the
Nail, only told the Prisoner he would get on the next day. That when the
Foreman was come, my Lord said, that the Prisoner was come, and that the
form was given to be should have it the next day; and accordingly on the 15th
in the morning, before my Lord of Essex was up, the Informant sent the Prisoner

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the key being on the outfall; and then did set my Lord's down on the ground in his blood; his Throat being cut. These are all the Informations which are inquest charged and sworn to enquire what, by what means, and how, *Bartholomew of Essex* came to his Death, thought fit to take; and upon the Depositions of these two Fellows, who in case any violence were offered to my Lord might have been an accessory to it, they bring in and do lay upon their Oaths, *Thomas* said *Bartholomew* *Earl of Essex* did villainously and feloniously cut his Throat; it may indeed seem strange that there being other Persons at that time in the House besides *Romey* and *Raffel*, particularly the Maid-servant, that they should neither be examined, nor so much as called to know, whether they could say any thing in that affair. But it is not improbable that the contradictions in the Testimonies of the two Witnesses, whom they had examined, so one another, might discourage them from examining any more, lest they in what they might swear, should contradict what both the former had said. Now what I have to observe concerning the contradictions in the foregoing Depositions, they are either such, wherein these Informations are directly contrary to the Reports, which themselves made to others about my Lord's death; or they are such, wherein the Testimony of the one contradicts that of the other; or lastly, wherein the Information of one and the same Person, *Bartholomew* and *overthrows* it self. For the first, whereas both *Romey* and *Raffel* do positively swear that it was not above a quarter of an hour and half, from the time that *Romey* left my Lord in his Chamber paring his Nails, to the time that they found him dead in the Closet; yet this very *Romey* being asked the Question by one of my Lord's Family soon after his Death, how long my Lord might have lain dead before either he or the *Warder* discovered it, replied that he believed he must have lain so above two hours, for that when they first found him, the Body was cold and stiff. And whereas *Raffel* deposes that, *the Reason* was given by *Romey* to my Lord after he was up, and about eight or nine of the Clock in the forenoon; and that both he and *Romey* inform how they saw his Lordship upon the delivery of the Razor to him, apply to the paring of his Nails; yet this Rogue *Romey* having the property of Lyes, namely, the want of a good Memory, affirmed to a Person of good credit, and who is ready to depose it upon Oath, that from the time of his lending away the Footman with a Note to the Steward (which was about or before six) that morning on which the *Earl* died, he did not see my Lord till the time that he found him killed and wallowing in his blood in the Closet. And whereas there is not one word in *Romey's* Information concerning my Lord's being used to be taken with sudden *Frenesical* Passions and Fits, or that he was particularly taken with one, that morning before his death, but the contrary plain-

plainly insinuated in the whole Information, and also acknowledged at Mr. Bradshaw's Trial, where though he says, that * my Lord was melancholy, yet he adds that he had no notice of it, nor had reason to suspect any thing more than ordinary; all which directly contradicts what the Villain told an eminent Dr. of the Church of England, namely, that his Lord was frequently taken with sudden frenzied Passions, and in particular with one that Morning just before his death. For said the perjured Rascal - when the Earl of Essex saw my Lord Ruffel carried out of the Tower to be executed, he struck his breast, and said himself was the cause of his death, and that my Lord Ruffel never said a word to him, my Lord Ruffel would never have admitted my Lord Howard into his company. And that thereupon, seeing my Lord Ruffel like to be ruined by the Testimony of that Person, for whose sake he was engaged his Honour, he set him at liberty. Now as this is directly repugnant to the Testimony which his own Lady and all other Persons, who had the advantage of being known to his Lordship, do justly give in, affirming that he was the most legible, best composed, and freest from Passions of all Men they ever knew, so there is not one word of it in his Information to the contrary. I myself thought it would have been a stronger Evidence of my Lord's murdering himself, than all that he deposed of, were he that in Truth being ever the same, whoever is called to tell a Truth that falls within his knowledge, can give the same account of it a thousand times over, without the least variation from it or from himself. But as we have no foundation, save what it has in the invention of the Author, easily escapes the memory, and lays the Reporter as often as he is called to repeat, and declare it, under a continual liability of inventing either something new that was not, or which is indifferent to what was in his former report, so that by the last Edition he both detects and discredits the first. But secondly, as the Informations of these two Witnesses, interfere with the Reports which themselves gave concerning my Lord's Death to other Persons, so the Testimony of the one, does directly contradict and subvert the Testimony of the other. For whereas Bomey positively swears, That on the Night of July in the Morning, before my Lord of Essex was up, he sent the Footman home with a Note to the Steward, in which among other things he asked for a penknife for my Lord, and that when the Footman was come about or a little after 8 of the Clock, my Lord sent Ruffel the Warder, to the said Bomey, who came and ask him if the Penknife was come, to which Bomey replied, no my Lord, but I shall have it in good time, and that thereupon my Lord bid him bring him one of his Regalia, which he went and fetched, and gave to his Lordship, who applied himself there-
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with a new nail; *Ruffel*, in a direct contradiction to this, swears, That on the 12. of July about 8 or 9 of the clock in the forenoon, he was present when he did hear the Lord of Ellex call to his Man *Bomeny* for a Penknife, to pare his nails; and then for a Razor which *Bomeny* brought him, and that thereafter his Lord went up and down the Room scraping his nails with the Razor, so that whilst *Bomeny* deposeth upon Oath, that my Lord called for the Razor, and had it delivered to him on the 12. of July being Thursday, and the day before my Lord's death; *Ruffel* comes and swears, that it was on the 13. of July being Friday and the day on which my Lord was killed, that he asked for the Razor, and received it from his Man. We may with the same ease bring the time past, to be the time present or future, as make the 12. of July upon which *Bomeny* swears he gave my Lord the Razor, to be the 13. of July, on which *Ruffel* swears it was delivered to him. And this will be such a disagreement in their Testimonies, that no wife and unbiassed person can give credit to what either of them says, but is in Justice obliged to believe that both of them swore falsely; yet it is not the only thing wherein their Depositions contradict one another, there being a second thing, and as important as the former, wherein the information of the one lies in a full contrariety to the information of the other. For whereas *Bomeny* swears, that *Ruffel* put a the Closet door open where my Lord lay, which implies his using force and violence to get in; *Ruffel* comes and deposeth, that *Bomeny* called by *Bomeny*, he went to the Closet door and opened it, by the key which my Lord gave him. Nor is it possible to reconcile what the one says in this particular to what is declared by the other, unless we can make the unlocking the door with the Key, to be the same with the bursting it open by a forcible way, as if it were not sufficient to demonstrate the fallshood of both their Testimonies, that they do expressly contradict one another in two important and weighty particulars; there is yet a third, wherein their Informations directly cross and thwart each other, for whereas *Bomeny* swears, That *Ruffel* threw the cloak of the Closet door, in *him* blood and a part of the Razor, without making mention of his seeing my Lord's Body, or any part of it; *Ruffel* comes and deposeth, that *Bomeny* upon peeping through a chink of the door, saw the Earl of Ellex lying on the ground in the Closet, without adding any thing of his having seen blood, and a part of the Razor. Now besides that *Ruffel* swears a thing positively, which at most he could only swear upon *Bomeny*'s information; here is also a disagreement between the account of what *Bomeny* says he saw, and that which *Ruffel* affirms him to have seen. The two Elders who in the Apocryphal History are reported to have sworn falsely against *Sufanna*, did not more evidently, nor in so many particulars interfere

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part of his legs reaching out of the Chamber door, and the print of a bloody foot upon one of his Stockings, which so far convinced this honest and unbiaſed Man, of violence committed upon the Earl of Essex Person, that he immediately cried out, *They have murdered my Lord.* Nor is he the only Witness whom we can produce to testify this, but there are others also ready to confirm it upon Oath, whenever his Majesty will be pleased to take them into his protection, and to determine them from the accusation they are guilty of, to that horrid and bloody Murder. But before I dismiss this, there is one thing further observable, namely, that having among other things brought Wine for my Lords own drinking, *Ruffel* and others of that fellow's tramp and complexion who stood by, fell a laughing the poor Man, telling him the Wine came too late for my Lord to drink, but that he had made it up very reasonably for his Funeral. Nor is this the only Circumstance which renders it so extraordinary the *Coventry* Jury matter of Evidence and Light, as to the manner of the Earl of Essex's Death, had not the Body been meddled with, but suffered to continue in the place and posture as it lay, but there would have appeared another Circumstance of as great Importance and Signification in it self, and as serviceable as the former, to have discovered this barbarous violence committed upon this innocent and excellent Person, for not only *Mary Johnson* the woman who was then Servant in the Wardrobe, would have told us, that a Prisoner, and who affirms that she saw my Lords Body as soon as either *Bonney* or *Ruffel* did, but several other Persons besides her, have confessed that the neck or middle of my Lord's *Crevas* was cut in two pieces, Sure it may be said, *Ruffel* tells us, had taken off his Peruke and hanged it up, because as the Villain would have the World believe, he could not so conveniently have cut his Throat with the Peruke on, as he would for the same Reason have much rather laid aside his Crevas, being no less than three times about his Neck, and more apt so under the accomplishment of that unnatural Fact (which the insidious and perjured Rascal hath endeavoured to fasten upon him) than the Peruke was. And therefore as it is unreasonable to think otherwile, but that the Earl of Essex would have laid by his Crevas had he designed to commit that violence upon himself, so it gives me suspicion that he was Assassinated by others, that his Crevas was about his Neck, and cut through in so many places. And whenever this Affair of my Lord Essex's death comes to be admitted to a fair and indifferent hearing, and a Pardon vouchsafed to such as shall give Evidence, it will be fully proved that the bloody Miscreants came provided and furnished with an Instrument which was able to conquer the resistance, which a Crevas though thrice rolled about the Neck was able to give it. And whereas one *Waller* says that of

the Chamber where he lay his clothes lying in the Closet with a

the Tower liberty, being a Person who assisted *Mary Johnson* in stripping my Lord's Body, hath pretended to say, that it was he who cut the Cravat, and was able readily to undo it; this may be easily demonstrated to be a story purposely forged towards the avoiding the suspicion, which the circumstance of the Cravat being cut, by the same Instrument and stroke that gave my Lord the fatal and deadly wound, would have both begotten and increased in the Minds of unbiassed Men. For besides that *Mary Johnson* whose conversation with *Webster* stripped the Body, hath often asserted the contrary to this which is *Webster's* report and gives out, it was not possible that the Cravat should be thrice about my Lord's Neck, when the wound and gash was made from the Neck bone behind the one jugular, to the Neck bone behind the other jugular; and not at all cut or touched by the Instrument with which that large and deadly wound was given. And as my Lord's Cravat could not be tyed rounder than he tyed it himself, without the intervention of some violent hand that had endeavored to choke him with it, to hinder and prevent his crying out; so we cannot suppose that my Lord himself had tyed it so hard, but that it might have been easily loosed and untied without cutting of it. And as it was impossible that my Lord's Neck should swell after the Gullet and both the Jugulars were cut, which if it could have done, might have been a means and occasion of the Cravat being more strait and close about his Neck, so no rational Man can apprehend, but that had it been never so strait, they would have taken pains and found away to undo it; especially having a prospect of enjoying it themselves, it being usual in England, that they who strip a dead Body, are recompensed with the gift and possession of all the Cloaths which they find about it. And therefore *Webster* pretending to have cut the Cravat when he assisted in stripping the Body, is both a confirmation that it was about my Lord's Neck when he was killed; and that it was cut into so many pieces as I have declared; so the having made it evident that this pretence of *Webster*, as to his cutting the Cravat at such a time, is a forgery and fiction of his own; may from the whole very justifiably conclude, that this Report was invented to suppress the Evidence and Light, which this circumstance would have given into the manner of my Lord *Essex's* death, and to prevent the questioning such, as might thereupon have been suspected and apprehended for assassinating and murdering that Valiant and Noble Peer. But besides the two foregoing circumstances, which would have served to detect the manner of my Lord's death, and the violence which had been used to bring him to his untimely End; there was a Third of as great weight and moment as either of them, which had the Body been suffered to continue in the place, posture,

and position as it fell, would have clearly discovered the Perjury of *Bonny* and *Ruffel*, and wonderfully contributed to the unravelling and discovery of the whole Mystery of this barbarous Murder; For whereas *Bonny* and *Ruffel* not only swear that the Closet door was shut, my Lord's Body was not a moment's time open to it, but also swearing that they found him lying all along on the Closet Floor, it is plain that *Bonny* had brought the provisions to my Lord just as *Bonny* presented the wine found him dead, and who upon *Bonny's* meeting him on the Hatch and telling him that my Lord had killed himself, run immediately into the Chamber, is ready to depose upon Oath that he found the Earl of *Essex* lying in the Closet, with a great part of his body upon the Closet Floor. Which Testimony as it shows the falshood of those two Witnesses' declarations in swearing that the Closet door was locked when they went in to it; so it ought to have been given adherent to; as proceeding from men that could hope for no advantage by telling a lye; nor fearing danger from declaring the Truth, while on the contrary *Ruffel* and *Bonny* were both sworn and bound to attest a forged story, and knew themselves to be so; and hanged for their accession to my Lord's Murder, had they believed the matter as it really was. Yet this posture wherein *Bonny* and *Ruffel* found my Lord's Body, namely, three quarters of it lying in the Closet, and one quarter out of it, must have awakened the Jury, had they seen it, and considered it, to suspect and apprehend that some premeditated violence had been offered to his Person near the Closet door, but as the removing and stripping of the Body, and washing both it, and the two Rooms before and after the removal, was admitted either to see it, or to view it in place, where the Tragedy had been acted, deprived them of the knowledge of the foregoing circumstances, (and possibly of many others as weighty and important), which would have served to have led them into this Mystery; and so enlightened them about the manner of my Lord's Death is so nothing can be more conclusive of some violent and unbecomingly cruel and malicious made use of to bring him to that deplorable and miserable End, than the irregularities committed upon and about the Body, before the Jury came far upon, or so much as saw it.

That which we advance unto in the next place, is such a matter of proof that the Earl of *Essex* was not Felonically put to death, but that he perished by the violent hands of bloody Assassines, and that purely from the malice of the Jury it self, which was trusted with the Inquisition into the manner of his Death, and who as Men of little Sense or Reason, and of less justice and honesty, gave it upon Oath that he did voluntarily and feloniously

cut his own Throat: and partly from the behaviour of others towards the Jury both in confining and abridging them to shorter time than was necessary to a suitable and thorough Enquiry into so great an Affair, and in denying and withholding from them those means of being enlightened in that matter, which it was their Duty to require and the Duty of others to grant, and without which they could not judge themselves enabled to give a true and just Verdict concerning the manner of that Noble Man's Death. And the first thing that occurs in the carriage of the Jury which makes it suspected that even they did judge the manner of the Earl of Essex's Death a business of too much hazard to enquire narrowly into, was their *Partial* Jury, in examining those few Witnesses which they called before them, and their hearing too hasty, and undeserved credit to two Fellows of whom they had reason to be jealous as interested in that Murder, against the information of an honest and unbiased Person. With what not only coldness but apparent loathness to be truly informed, did they examine Peck as if they had dreaded to hear any thing which might shake their belief of the Earl of Essex's having killed himself, or which might oblige them to accuse and charge others with the guilt of his Murder, while in the mean time they greedily hearkened to whatsoever *Bonney* and *Russel* swore, tho' stuff'd with all the inconsistencies and contradictions imaginable? How little esteem and value did they set upon the information of poor Peck, tho' they could not but know that he was a Man; whom none could have endeavour'd to perjure, and who was neither under the influence of hope or fear to refuse any thing but what he saw; while in the interim they paid an implicit faith to the self and one another contradicting depositions of *Bonney* and *Russel*, whom they might easily have suspected not only to have been prompted and taught what they were to say, but to have been both deterred by the apprehension of punishment from denigrating the Truth, and sway'd by Rewards to swear and publish a falsehood? But there is a *Second* thing wherein the Jury were partial and defective in their Enquiry into the manner of the Earl of Essex's Death, and which by consequence shows that if not all of them, yet some and they such as conducted the rest, did either know or were jealous of a Mystery in the way of this Noble Man's coming to his fatal end, which they were not willing, and judged it not for their interest to dive too far into. For albeit there were more Persons than *Russel* and *Bonney* then in the House when my Lord's Throat was cut, yet I do not find that they did, or were willing to examine any others. Now amongst those that were in *Hamley's* House at that season when that bloody Peck was committed upon this honourable Peer, there was one *Mary* *disson*

who amongst many other things which she declares, affirms particularly that being just carried my Lord's Chamber at Russel and Bomeny were opening the Elfen door, she saw the Body as it were in the room dia; and yet this Woman whom the *Coroner's Inquest* were bound by the Laws of Justice as well as the Rules of Prudence to have examined, was never so much as called upon nor asked a Question concerning that matter in a judicial way. And we have the more reason to complain of the Jury's neglect and infidelity in this particular, because she has often reported, and professed her self ready to depose upon Oath, diverse things which are wholly inconsistent with what *Russel* and *Bomeny* have informed. For while they depose that they found my Lord's Body hanging in the closet, and the Razor lying by him on the Floor; This Woman *Mary Johnson* both hath and doth still report, that my Lord of *Essex* was found travelling on both his *Right* and *Left* Body leaning against the Wall; and that the Razor was in his hand, the Blade being lying upon his Forefinger; and the handle hanging down between that Finger and the Thumb. And while they swear that it was not above a quarter of an hour and in half from *Bomeny's* delivering the Razor to his Master, till she came of their finding him dead in the Closet; She positively avers and affirms, that the Body when it first found was cold and stiff, which it could not be at that season of the year in a much longer time than their Informations do specify and allow. I do not say that what She affirms was true, no more than I believe that what they inform was so; but I say the contrariety which (had she been examined) would have appeared in her Testimony to theirs might have served to convince the Jury and is sufficient to satisfy all Mankind, that things were not as they are declared by any of them; but that the manner of my Lord's Death, and the posture wherein the Body was found, being otherwise than was safe for them to disclose and reveal, each of them in order to hide and conceal the Truth, and for the sheltering both themselves and others from Justice, framed a story of their own concerning that matter; whence it came to pass that they so widely differed one from another in their several and respective Reports. And as the carriage and behaviour of the Jury in their *Imposition* upon the manner of the Earl of *Essex's* Death, does plainly shew that there was a secret and hidden Villainy in that matter which some of them were either forbidden or afraid to reveal into; so it serves to deprecate and take off the credit of that Verdict which they gave in concerning his having murdered himself. But let us in the next place observe and consider the behaviour of other Persons and those acting by no meaner Authority than that of the Duke of York, towards the *Coroner's Inquest* when they were met

and set upon the Body, and we shall from thence also be furnished with new proofs and further evidence, that the Earl of *Essex* did not destroy himself, but was brought to his unfortunate and untimely end, by Instruments, whom they would not have known, and by means which they durst not admit to have narrowly searched into. For whereas according to the saying of the Poet, which my Lord *Chambellan Finch* was pleased to quote at the Trial of my Lord *Stafford*,

Nulla inquam de morte hominis curatio longa est. Joven. Sat. 6.

That we can hardly proceed slowly, nor search diligently enough in what concerns the life or death of a man; so there were many singular and weighty reasons, arising from the worth and quality of the Person, the place and condition my Lord of *Essex* was then in, the benefit or prejudice which were likely to ensue to others, as his death should be found to be compassed by this or that means, which should have influenced the *Jury* to use all the utmost scrutiny and diligence imaginable in their Enquiry into the manner of that Noble Man's death. But instead of this the *Jury* was little sooner met; which by the way was at a publick house in the *Tavern* (whither the Coroner had adjourned them after they had seen the Body) than a message was sent them to make haste in their Inquisition because one minded to carry it to the King. Nor that I would persuade the World they had any Authority from his Majesty to use such an Expression, or that the King was not willing they should take time to examine things thoroughly as well as with gravity and leisure, but that there were some great Men and very near his Person who gave order to make use of his name, in order to the preventing the reproach and publick guilt, which a due, calm, impartial and leisurely Enquiry of the *Jury* into that matter, would have subjected and made them obnoxious unto. Nor can I believe that *Henry* the *Warder* who was one of those that sent the forementioned Message to the *Jury*, either would or durst have done it, and much less have named the King, but that he had express command and warrant from some in power for the doing of it, and that there were some Men of the first quality, who for reasons well known to themselves, were exceeding backward and averse to the having the manner of the Earl of *Essex*'s death too critically searched into. But besides the method which I have mentioned that was used towards the *Jury* to hinder a due Inquisition into the matter they were met about, and to frighten and intimidate them from tracing things too far, there was a second passage and much more astonishing than the former, in the beha-

vour

in rich of some people towards the Coroner's Inquest, while they were attending and sitting about the Coroner's Inquest, for one of the Jury having observed, that tho' they had been admitted to view the Body, yet they had not seen the Cloaths which my Lord wore when he was killed; but that they had been taken off, and were carried away; and hereupon he to see the Cloaths which my Lord had on when that unfortunate thing fell out, and in which he was found dead. One would think, that a more modest, just, and necessary demand, could not have been made; and I take the confidence to say, the Jury ought not to have proceeded to a Verdict, till they had been complied without it, unless upon the denial of so righteous a Request; and the refusal of a matter that was so necessary, as well as useful, to inform them they had proceeded as in Duty and Conscience they ought, but to acquit my Lord from having committed any Violence upon himself, and to have cast this horrid Murder upon others. For instead of being gratified in the demand of seeing the Cloaths, the Coroner was immediately call'd into the next Room, where some Gentlemen were attending (and amongt others the person I have just now mentioned) who having overheard what was asked for, severely check'd and rebuk'd him for suffering such Questions to be proposed. And this mercenary or at least cowardly Soul, not at hand the Coroner (if I may so call him, being but the Coroner's Deputy) returning back to the Jury, after having received the reprimand & rebuke, urged them, They were call'd to sit on my Lord's Body, and not on his Cloaths; and guilt was sufficient they had seen the Body, and received an oath upon Oath how he was found. O faithless and dishonest Man! as if because they were to sit upon the Body, they might not be allowed a view of the Cloaths in which it was array'd, when this noble Person received his fatal and deadly Wound. But, stupid Fool! whom if thy Place and Office had not made an Esquire thy Honesty and Wit never would; dost thou think that it was merely the Body of the Earl of Essex thou wast to sit upon, and while thy business Man was to enquire by what means, and after what manner my Lord himself came to that immortal, violent, and untimely end? And therefore as thou sat upon the Body merely in order to the receiving and light and information into the manner how my Lord's Person came to be so destroyed; so if thou hadst not renounced Conscience, as well as Courage, thou wouldst have desired a sight of the Cloaths, in suberviently and order to the same end. Nor can any rational Person other wise judge, why the Body was first stripp'd, and the Cloaths afterwards withheld from the view of the Jury, when demanded by one of them to be seen; but because something or other remarkable would have been found upon and about them, which

would have overthrow the Informations of *Bowen* and *Rassell*, and made appear my Lord's being murdered by others, instead of proceeding by his own hands.

To all that we have hitherto said in vindication of the Earl of *Essex* from the guilt and infamy of having been a *Factor* of himself, and in proof that he was most ungenerously as well as barbarously murdered by others, we shall in the next place give an account of some remarkable passages which were observed in the Tower that morning my Lord was kill'd, which will not only inform us there was something requiring great secrecy then translating, but will conduct us home to the Authors and Authorizers of that villainous and execrable assassination. The first thing then remarkable was, that the Gate of the Tower and at those Apartments in the Tower, where the Earl of *Essex*, and all the other Gentlemen committed for the late pretended Plot were lodged and secured, and which always used to stand open from Morning to Evening, was all that Morning kept shut till after my Lord of *Essex* was dead, except that it was once opened to let out my Lord *Rassell* to his Trial, being immediately after he was gone, lock'd up again. And as this could not escape the sight of the Persons who were then confined, so it gave that surprise to some of them, being a thing which had not fallen out before, that one Gentleman in particular called to his Warder, and ask'd him the meaning of it, and received for answer, that there was special Order given for it. Nor is it difficult to guess the reason of the Order, and upon what motives, and in reference to what end. Command was given for keeping the said Gate shut up all that morning, till after the Earl of *Essex* was kill'd, for the Stage and Theatre upon which the bloody Tragedy was to be acted, being within that Gate. It was needful to keep people out as much as they could, to prevent the discovery of the Actors, unless it were such as had their parts in some of the Scenes, or would be sure to give their applause to the whole. A second passage very remarkable, which was observ'd in the Tower that morning, and which looks as loud in the matter we are upon, as the former, was, that the King and Duke having been at the Lieutenant's house, which is about the middle of the Alley, where my Lord of *Essex* and the rest were imprisoned, and having stood in a Balcony, with a few attending them, to see my Lord *Rassell* pass by to his Trial, the Duke did soon after, with several waiting upon him, withdraw from the King down into the Alley, the Gate whereof was still kept shut. Surely it could not be the pleasure of the walk that made the Duke leave his Majesty at that season, but he had something to give Order about, and to see the managing of, which was of more moment than his Princess's Company,

pany, and which his heart was infinitely more set upon. The Third and last thing which fell under the observation of divers then in the Tower, was that the Duke having withdrawn from the King, there were several Persons immediately sent and dismissed from his very side towards the Earl of Essex's lodgings, who returned not till after the death of that Noble Person, that they came and gave an account of the obedience they had paid to his Highness Commands, and that the Earl of Essex was killed, pretending he had cut his own Throat, thereby murdering his Memory after they had assassinated his Person. It may be expected that I should here mention the Names of those that were sent upon that barbarous errand, but there being some of them, who may be improved and made very useable to detect the villainous Crime they were assisting to commit it is but Justice to our selves as well as to them to conceal their Names. And to publish the Names of the rest were but to set a mark upon the former, and expose them to the rage and power of St. James's, by not proclaiming them in conjunction with the others. But this offer I renew again both to his Majesty and his Ministers of Justice, that if a *modus inquirendum* into the manner of my Lord Essex's death, may be ordered, and an Indemnity granted to such as shall be willing and able to detect, by whom and how he was murdered; then shall the Names not only of the Russians who committed the bloody Fact, but the Names of the Conspirators, who were the Contrivers, Authors, and Encouragers of it, be both discovered to his Majesty and judicial Officers, and published to all the World.

The only thing which remains to be discoursed of, in confirmation of the Earl of Essex's being murdered by others, and that he was not *Falso de se*, is *That of a bloody Razors being thrown out of his Chamber window before any noise of his Death, or the least intimation that he was killed.* And indeed this of a bloody Razors being thrown out of his window, has already made a great clamour in the World, and was the first thing which raised a suspicion that my Lord had not destroyed himself, but that he was assassinated by others. For as it was impossible that after his Throat was cut he should throw it out himself, so it could not be cast forth by others, before the Body pretended to be found, or any declaration made that he was killed, unless it was by such as were present in the Room when he was slain and were instrumental in his Murder. Nor can any account be given why they did it, but that God insinuated them, thereby to detect the Villainy they had committed. And it seems they had no sooner recolected themselves, than they were sensible it would not serve the End they had designed it unto, namely, of making the World believe he had cut his own Throat, and in

Revenge upon the instrument wherewith it was done, throw it away after
 the deed was performed, and therefore they immediately both caused it to
 be taken up, and carried back into the Closet, and have had the impudence
 ever since, to deny that ever such a thing was done. Nor can the Story
 which I certain Gentlemen at *White Hall* had formed for them, stand them
 in any stead. For that *White Hall* finding my Lord dead in the Closet, and
 the Razor which had been the instrument of his death lying by him, and
 that Razor upon being it face with surprise, and astonishment, at an unex-
 pected and deplorable accident, he took up the Razor, being acted by
 grief and indignation, and not minding what he did, threw it out at the
 window. For besides that, the Razor was thrown out of the window
 before there was any fear of my Lord's death, this gloze and qualifica-
 tion was invented too late, to serve the end it was designed unto, being
Dodder and *Ravens* Examinations with which it is inconsistent, were pub-
 lick before. Now in proving that a Razor was thrown out of my Lord
Essex window, before the news and tidings of his death, I would not be
 thought to acknowledge, that it was a Razor wherewith the mortal and
 desperate wound was given him, being well assured that it was such an
 instrument much more proper for the purpose, than that would have been
 but that which I intend by the proof hereof is partly the overthrow and
 subversion of *Banbury*'s and *Rivers*'s informations, upon which the Inquisition
 and Verdict of the Coroners Inquest was built, and partly to establish and
 evidence that antecedently to the notice and report of my Lord's death, there
 were some Persons in the Chamber where he was killed. Which being
 once admitted, it was to suppose he thence readily granted, that they were
 not there to be the operators of my Lord's cutting his own Throat, but
 that that villain was to perpetrate themselves that barbarous Fact upon
 him, though for the concealing their guilt and avoiding the justice and se-
 verity of the Law, they have endeavoured to cast the reproach and blame
 of it upon that innocent and injured Person. The first who reported and
 divulged the story of bloody Razors being thrown out of the Earl of
Essex's window, before there was any news of my Lord's death, was one
William Earle, a Youth between sixteen and fourteen years of age, who
 having been at the window, according to School, that the King and Duke were at the
 Tower, went in to see them, and continuing there sometimes in one place
 and sometimes in another in that morning, came home about ten of the
 clock to his mother, and told the Earl of *Essex* was killed, and that while
 he, *William Earle*, was standing by the Earl's lodgings, looking up towards his
 Chamber window, he saw a hand cast out a bloody Razor, which being going

to take up, there was a floor Maid or Woman with a white hood on her head got out of a Chamber behind the House where the Earl lay, and took up the Rascal which she immediately carried into the Chamber House, and ran up stairs, and about five after the clock gave cry her murder. All this the Boy hath frequently attested and averred to his Father, Mother, Sister, and to our Mrs. Ayle, as well as to Mr. Braddon, as these four Persons deposed upon Oath at Mr. Braddon's Trial, yes, the very Boy himself did confess and acknowledge in Court that he had said and reported it. 'Tis true that after he had often affirmed it, he was at last by the flatteries of some and the menaces of others brought to say he saw no such thing as a bloody Razor thrown out of the Earl of Essex's window, but that the whole which he had reported relating thereto was feigned and invented by himself. For having been told by his Sister that through persevering in his first Report he would not only ruin his Father and the Family, but that he would bring both himself and his Father to be hanged; he thereupon under the influence of dread and fear retracted what he had before affirmed. But whither there ought not more credit to be given to his Affirmations, than to his Oaths, I dare refer it to the Judgment of all impartial Men, who have either heard of the Method used towards the Boy at the *Common Bench*, or who have read the carriage and behaviour of my Lord Chief Justice and the Court of King's Bench in this matter at the Trial of Mr. Braddon. And as I was amazed my self on the perusal of the Trial, to observe with what impudence and barefacedness they not only discovered the means used by others to influence the Boy to confess himself, but themselves were in bustling on the one side, and cajoling on the other, whereby the very Bench drew him into and cherished him in Perjury. So I never had the fortune to speak with a Man that was wise or honest, but he was forced to acknowledge that the Boy's first Report in saying he saw a bloody Razor thrown out of the Earl of Essex's window, could not be a plain, simple, and true, whilst his denying what he had so often affirmed to have seen, appeared evidently to be wheedled out of him, or by reason of the dread and fear wherewith they had possessed him, wrested and extorted from him. How gross as well as unbecoming was it for my Lord Chief Justice when old Mr. Edwards had upon his Child's being sworn, & when sitting in the presence of Almighty God to *swear the Truth and nothing but the Truth*, I say for my Lord Chief Justice to bid the Child *swear* and say *father be sure you say nothing but the Truth* for as the Father's command to his Son does plainly intimate the jealousy he was under concerning the Boy's being wrought

wrought upon to perjure himself to the Reply which my Lord Chief Justice advised the Child to make to his Father, did besides the irreverence towards a Parent whereof it savoured directly intimate the apprehensions he had left the Father's Christian counsel should fortify the Child to assert the Truth. How palpably as well as manifestly did my Lord Chief Justice betray and reveal their entangling the Boy to swear a lye, by the rage as well as superciliousness wherewith he treated Mr. Wallop (a Person not only to whole Age Honour is due, but who in all the qualifications of a Gentleman and the accomplishments of a Scholar in all other Learning as well as the Law infinitely transcends and exceeds his Lordship) and for no other reason but because Mr. Wallop would have asked y^e young Mrs. *Edwards* whether she had not told her Brother that the King would hang his Father? he did not deny what he had so often affirmed to have seen. And tho' it was a Question the answering whereof, would have unfolded and laid open the means by which the Boy was brought to retract what he had formerly declared, and would have confirmed the Truth of his first Report, yet my Lord Chief Justice instead of suffering any Answer to be given to it, not only upbraided that ancient, learned, and worthy Gentleman, as if he had intended to have charged the King with a design of hanging many thousands of making them deny the Truth (both which were far from his thoughts and the intention of the Question) but having haught and hector'd him did threaten him with the animadversion and correction of the Court for meddling with and aspersing the Government. Nor is young *Edwards* the only one who hath declared that he saw a bloody Razor thrown out of the Earl of *Essex's* Window before any noise or rumour of his death; but there is also a Girl one Year Lodeman, of about thirteen years of age, who being in the Tower that Morning the Earl of *Essex* was killed, and standing over against his Lodgings, came home and told both her Aunt and others about ten of the clock, that it was reported the Earl of *Essex* had cut his throat, and that she had seen a hand cast a bloody Razor out of the window where the People said that my Lord lodged. And as this Girl had no acquaintance with or knowledge of the former Boy, and consequently they could not agree together to form and invent a *Romanick* and fabulous Story, nor to concert the particulars which they were to report, so it is observable that their Relations do harmonize and accord in all the main heads, and only seem to differ in one thing, which the Girl unconsciously with the several parts of the house where my Lord lodged, led her into a mistake about. For they both agree that there was a Razor thrown

out.

out of the Chamber window before Murder cried out, and that this Razor was bloody, and that immediately there came a short Maid or Woman out of the house with a white hood upon her head who went towards the place where the Razor fell; which as they are all the material things requisite to the confirmation of the fact, to being wholly strangers to one another they could not before hand concert them, nor agree the things they would report. Had one said it was a Razor that was thrown out of the window, which the other had affirmed it was a Razor, or had one denied it to be bloody, while the other had reported that it was so, or had the one mentioned a Man as having come out of the house towards it, while the other spoke of a Woman; there would have been then some reason for the Ridiculing it as a Fiction, seeing the contradicting one another in the essential circumstances of the Report, would have detected the falsehood of the Reporters. And it must argue great perverseness as well as strange prepossession of Mind, to pretend to disbelieve the Story because the Children seem to vary one from another in a little and minute thing, when in the mean time there is the greatest harmony imaginable between them in all that is of moment for the establishment and assurance of the reality of the Fact. And therefore whereas towards invalidating the Girl's Testimony it was objected by my *Chief Justice Telfer's* that he should say the Razor was thrown out of the *Chamber* window, when the Girl had said it that it was thrown out at the *Chamber* window, this pretended inconsistency between the two may be easily removed to the satisfaction of all rational Men, and the eternal reproach and infamy of my *Chief Justice Telfer's*. For indeed he said no such thing, nor did he know the *Chamber* window, from the *Chamber* window, nor so much as which was my *Lord's Chamber*, but as he heard declared by the Standers by. All that the Girl did affirm was that * She saw a hand throw a bloody Razor out of a window, which as the People discuries, belonged to the house where the E. of Essex lodged. Nor did the objection arise from what the Child herself deposed in Court, but it was started from the Deposition of one *Clark*, who informed the Girl having told her, *How* that the E. of Essex had cut his Throat, and that she was sure of it because she saw him throw the Razor out of the window, and that it was all bloody. Now because the *Chamber* was the place where my *Lord* was found dead, they would infer that she meant the *Chamber* window, and thereupon conclude the Story to be false both on account of the impossibility that himself should throw the Razor out, and the contrariety which they would have supposed to be in this expression

† Braddon's Trial p. 66.

* Bradd. Trial p. 47, 48.

as to what the Boy had reported. Whether the picture does only show the
 simplicity of the Child, but does in no way bear on the truth of the Report.
 upon the account which She gave of the place where the Boy stood; namely,
 that that part of the Tower called the *Moore* plainly shows that she could
 have seen the Child's window, but the window of the *Chamber* to which she
 the cover of the King's Bench had been the justice and integrity probably be-
 came Men in their places, one Question of the Judge and the Child's An-
 swer still would have clearly decided whether she meant the *Chamber*
 window, or that of the *Chamber*. For had they but said either whether
 the window out of which the Boy was thrown, stood towards the
Chamber on the *Back* yard, the objection would have immediately wa-
 vered, considering the place where the Child was first standing,
 the Boy's answer, and what it looked towards the *Front* yard; nor was
 it possible for her to see any thing thrown out of the *Front* window, an-
 swer she had stood in the *Back* yard, which the testimony did not was so
 much as to show there. But by the asking such a question Sir George Jefferys
 would have left the advantage not only of *misleading* the whole matter
 about the fact, and of diverting the Murder of the *Baron* of *Weymouth* upon
 himself, but of steering the Malefactor from justice and possibly of
 ruining Mr. *Braden*, which were things of too great consequence to Sir
 George's to leave occasion and pressure of compelling them to leave him;
 and especially the cost of a single moment's patience and justice in his
 own mind, and in the *Deposition* and examining *Witness*. Now this
 objection, charged upon Sir George's *Deposition* against the Truth of the
Deposition, being fully and to the satisfaction of all impartial Men
 removed and taken off, all that bold and nonsensical story which through
 the *Deposition* of the Child's words, like a superfluous upon his own
Deposition, has been done of his own record, and without its being need-
 ed for any to interpret any thing but was a remark upon a fact to the ground
 Not only, and upon all common sense, henceforth to know that the fact
 which the Child has done for as the *Deposition* must therefore have been in
 the *Back* yard, and consequently been thrown through the narrow *alley*
 and *Pass* of the House, seeing it is a right from what hath been here dis-
 covered, that between the *Front* yard and not the *Back* yard as she there
 not to be a *Chamber* of *Weymouth* and with the same view as all that *Ca-*
ptain *Henry* and my Lord Chief Justice declare about the *Baron* of the
Baron, and the impossibility of throwing any thing out of the *Chamber* win-
 dow over them, and especially of seeing it was thrown *over* and lying
 upon

upon the ground, be scattered and blown away because it was not the
 pales compassing the back-yard, which the Girl's Testimony referred up-
 to; but those to which her Deposition related, are the pales which face
 and fence the forepart and front of the House. O The Candour and Man-
 nitude of a mercenary Lawyer, instead of the apprehensions and integrity of
 a just and impartial Judge! Nor could any of us have taken a more
 expeditious and effectual Course to proclaim his own Villany, than he
 hath done, by endeavouring to mislead and expose this poor Child's Testi-
 mony in the foregoing particulars. And whereas Mrs Justice Holroyd
 was pleased to except against the Deposition of the Girl in another par-
 ticular, namely, that whilst she wore the Razor fell within the pales, or
 that she had said that it fell without them; I do return this by way of Answer
 to her First, that the Report of the two Children are much more likely to
 be reconciled than the Observation of Mr Justice Holroyd, upon this
 point, is to be reconciled with that of my Lord Chief Justice, who is con-
 cerning the same. For whereas Justice Holroyd would have the contra-
 diction betwixt the Informations of the Children to be, that the Razor
 fell within the pales, and the Boy's story, that it fell without
 Lord Chief Justice will have it to be in the same manner, that the Razor was thrown
 within the pales, while the Boy had said it was thrown on the outside. I demand the
 fourth, how it can be reconciled, that the Girl's story is, that the Razor
 fell within the pales, and the Boy's story is, that it fell without the pales, and
 the Girl's story is, that the Razor fell within the pales, and the Boy's story is,
 that it was thrown on the outside of them. But they should be so to the
 inconsistency between what the Boy informed, and what the Girl
 deposed of. I have young Edward had born in Warwickshire, and
 being the posture and motion of the hand out of which the Razor fell, fre-
 quently declared that it was cast on the inside of the pales. His Father,
 Mother, and several others are ready to depose that when he first told the
 story of the Razor, he expressed it by saying, that he dropped it out of a hand
 from the Bar of the window, which did plainly signify that he meant it
 fell on the inside of the pales. And whensoever he tried to imitate the motion
 of the hand from which the Razor fell, he did put it in such a man-
 ner, as that all who observed his imitating what he said, he
 concluded that the Razor fell on the inside the pales. Nor was he ever heard

to say that it fell on the outside of the pales, save only that time that Mr. Braden took his information in writing, when his Sister by endeavouring to thrust him into a denial of the whole matter & say, had put him in touch a truth, that either he could not remember, or did not mind every little circumstance of what he as well saw, as had often reported before. And it is remarkable that neither himself at Mr. Braden's Trial, where he repeated and acknowledged what he had formerly reported, nor any other Witnesses who appeared at the said Trial to testify what they had heard him say, did in the least mention his having at any time said, that the Razor fell on the outside of the pales; but on the contrary his Mother does in Word her Deposition, as serves to prove that he believed he always meant the inside of the pales; for she swears, "That he said he saw a hand out of a Window, and a Razor fell down." And as the whole matter of a Razor being thrown, or let fall out of the Earl of Essex's Window, immediately before the noise of his Death, will be attested by several other Persons when there is occasion, to the Sentinel *Mead*, whom we have formerly mentioned, not only reported to many Persons, both that morning his Lord was killed and afterwards, but he added two or three remarkable circumstances from whereof the Boy had not taken notice of, nor the Girl observed others. That which *Mead* then declared to three Persons the very day my Lord was killed, and which they are ready to swear when called thereunto, is, "That just before the said death was committed, there was a bloody Razor thrown out of his Window, which was seen by some of the Soldiers, as well as by others, and that a little Boy who had seen the Razor thrown out, run towards it, and that a short Maid or Woman that came out of the Close where the Earl of Essex lodged, was too much for the Boy and snatched up the Razor, and having run in with it to a Close, Murder was soon after committed." Thus we have not only a declaration from a third Person, that there was a Razor thrown out of the Earl of Essex's Window, before any tidings of his Death, and that a Boy went to take it up, but was prevented by a short Woman from Captain *Wemy's* House, who took it up and ran in with it. The last passage, of which the Earl had not observed, but we have also a farther notion of a passage the Girl swore, which the Boy gave no account of, namely, that there were three other Persons standing by, who saw this bloody Razor thrown out of my Lord of Essex's Chamber Window, and that the strange that every little thing should not be generally minded by all, but it is enough to let this business beyond the control of all rational Men, that it hath been declared by two, besides the Boy, who got as none of them can be

supposed under any prevalent Temptation to feign such a story, so it was
 impossible that three persons altogether strangers to one another, should at
 one & the same time, & in three different places, combine & agree to report
 the same thing. But to all these proofs drawn from the Testimonies of the
 several Persons, concerning a Razor's being thrown out of the East or West
 Window, before the news of his death, there is another evidence as con-
 vincing as any of them, which may be drawn from the Razor itself. And
 that is, the several gaps or notches which were found in it, when the Jury
 saw it, and had the account of its being found by my Lord's Body, and of
 its being the Instrument wherewith, as they said, he had cut his Throat.
 For beside one large gap or notch in the point, into which a Man might
 almost lay the end of his little finger, it was for about two inches towards
 the handle, so gapped and notched, that the edge was wholly broken off,
 and yet all the part of the Razor which extended from the notch in the
 point, till within two inches of the handle, was so far from being gapped that
 it remained very keen and sharp. And this of the notches in the Razor was
 so remarkable, that some of the Jury not only observed it, but asked one of
 the Chyrurgeons who was by, whether my Lord cutting his Throat, could
 have made these notches in the Razor, to which the Chyrurgeon answered
 he might, but whether it was from his being a poor or skilful or otherwise, he
 others to judge: For I am sure the reason he might find from the Razor
 that was in the hand by that time the Razor reached the Neck-bone, is in-
 evitable in it self, and can satisfy no rational Man: And that this ignorant or
 stubborn Fellow, considered the position and use of the notches, he would
 have both understood the impossibility of his Reply, and now shew'd the rea-
 son was which he endeavour'd to justify & support by, by admitting at
 the present that the gap at the point might have been so occasion'd, which yet
 was impossible for reasons assigned before: yet now was it possible that that
 part of the Razor which was so low as the handle, and which must be grasp'd
 or held in the hand, other while the Razor could not be used, nor the wound
 given, should be the most notched and gapped, seeing all must grant that it was
 so far from approaching the Neck-bone, that it could not pass beyond the
 skin and outward part of the gullet? surely the same part of the Razor
 could not at one & the same time, be held fast within the hand, & the grating
 and upon and against the Neck-bone. This is so obvious to every Child
 that I know not how to ascribe the Chyrurgeons answer to misapprehension
 but must either impute it to the Confutation which to tragical an acci-
 dent had put him into, that he remained not master of common sense, or
 it must be resolv'd into a worse cause, namely, a fear of tracing the Murder

of that honourable Person, to be true and real Actors of it. Nor can the Conspirators against the life of that noble Peer, avoid the strength and evidence of this Argument, but that the Razor must have fallen both from some considerable Person, and upon some resisting Sharp and hard Substance, or that otherwise it could never have been gapp'd and notch'd as it was. And I dare upon this Theam challenge *Roger L. Ebrange* to do his utmost, though I know he hath as good a faculty of ridiculing and beiling Reasons which he cannot answer as my Lord Chief Justice *Jeffrey* has at expoling and hectoring Witnesses, the Truth of whose Testimony he cannot otherwise avoid.

Thus I have finished what at least I judge fit and proper at this time and juncture to be said, concerning the barbarous murder and unparalleled massacre as well as the violent and untimely end of that honourable & innocent person, *Archiebald Earl of Essex*; and do greatly rejoyce that I have been able to do this piece of service to God and my Country, as well as to the Memory and Vertue of that Excellent Man. For though chy Friends, Great *Essex* were not so happy as to prevent chy being murdered by the hands of execrable Ruffians; yet it is some relief to them, under all their torrows for thy unfortunate and tragical end, to be in a condition to vindicate thy Name from the imputy of a crime, of having destroy'd thy self. And tho we have all the light into, and assurance imaginable, of divers other things, yet we do not here pursue them because that were both to expose divers persons to the like fate and delivery, & to deprive our selves of the benefit of their Testimony at a Bar against the Malefactors. We hope, nevertheless, that under all the disadvantages under which we lie, there is that account given of matters, circumstances, & persons, that none can reasonably doubt of the Truth of, my Lord of *Essex* being perfectly assassinated. And to set this Affair yet farther beyond all question and control, I do challenge those who do think themselves injured or aggrieved, that for their own vindication, and the discovery of that murder, they would put this matter concerning the manner of the *Earl of Essex*'s death, in a fair, safe, and legal way of Trial, without danger to them who shall appear as Witnesses, or damage to such as shall have the vertue and courage to undertake, to prosecute. But if instead of this, they fall upon railing Men by Actions of *Scandalum magnatum*, or of assassinating, such whom they shall suspect to have detected this bloody and enormous Crime, I hope it will be look'd upon not as a vindication of their Innocency, but as an argument of their Guilt. Nor can any Men be brought into trouble for having or reading this Book, but it will be a fresh proof, that there is both a villainous Mystery in the manner of the *Earl of Essex*'s death, which they would not have known, and that there are persons guilty

guilty of, and accessory to it, whom it concerns then to preserve from the infamy and punishment thereof. *But* how ungratefully were they recompensed for the Loyalty of the Family, and well as their own sufferings and Services in behalf of the Crown and Majesty, the Reward of thy Father's laying down his Life on a Scaffold, and full Rites then they underwent and did for the King and the Commonwealth is the Fate of the Cause, either to die for the Royal Family, or to fall by the Treachery and Cruelty of some of the Regal. Of going in the same Cause, when thou hadst not Crimes for which they could detract from thy Worth and Integrity became thy capital Offences; and their infamous and perjured Witnesses could not administer ground to their Conscience to reach thy Life, thy Love to England, and Zeal for the Protestant Religion were sufficient Reasons with the Duke and some others to petition and compass thy death, and thy declining to join with the Papists to subvert the Laws of the Kingdom, and exterminate the Northern Heretic, was not irreconcilable to Life, and then to destroy thee: And what else did prevail to effect by perjured Witnesses, and a pack of rascals of Peru, they resolved to accomplish by Laboured and hired Assassins. When thou mounted the Scaffold, and wert to appear before thy Peers in a publick way, they could have weaned Officers and Corporals, who undertook to sit privately upon thee, and have thee shot to die. Having lived the Peers as well as standing of the Country, thou wert at last through the Malice of the Nation's Impetuous, a witness and a sacrifice for its Rights and Liberties. Now was there any way for thee to have escaped their rage, but either to have been left distant from thy Country, or left tender to them, and thus thou were delivered from thy Country. Hadst thou when time was untravell'd the English Channel, in which both might and should have done, thou couldst have returned the Gallies that is fallen upon the Nation, and the dishonour and the shame thou brought unto thy self: But thy Zeal for the greatness of the Monarchy, and thy Love as well as compassion to the Lake of Tears, thou shouldst have made and unthanfulness of that Monarchy, that wouldst have destroyed thee. Have proved an unhappy occasion of our Sufferings, and thy own ruin, and thou none does more reverence thy memory than I do, yet I cannot but observe how conspicuous the Right of our Lord in the Justice of our ungrateful Man, whilst his Assassins were refused and driven to fall with him; they who knew his Designs, that but of pay to his reward, as well as love to his Majesty, thought fit to attend themselves by him, and to be slain, but holy Providence, I am assured, did not suffer him to be according to the measures of Wisdom, or even to have slain the principles of true Reason, can any Man be a Friend to Religion and National Rights, without being

an avowed Adversary to the Duke himself as well as to his Conspiracies.
 How could we think of granting such a Pardon? Are not
 all these Conspiracies in the Interest of the Nobles? The
 Duke himself cannot but be as unable to defend you, if the
 Power of Justice, which is in the Royal Palace as well as the State,
 should not be able to take of him from the intrusion and violence
 of these wicked Nobles. They will promise your lives every in
 your Country, but they will not keep them. For if they want witnesses of destroying you
 they will go to France and Scotland, they have no more to do but commission
 some Ruffians and Assassins to kill you. And when it may not be found
 convenient to attack your Person by Strangers and hired Rascals whom you
 do not know, they will send a party of debauching your Palace, to Cham-
 ber, and the Secretary, who will hands you until the care of your Per-
 son, to the same party, who will have a good stable foundation are English
 Gentlemen, being exposed if they stay in the Nation, to be either
 driven out of their Lives by false Accusations, or murdered by bloody Assas-
 sins, or if they wish to, and retreat into foreign Countries, made
 liable to be seized as Outlaws. And which was never known in any
 Kingdom of the World, that a man, who had given in a Pardon, an
 Outlaw does not come to have a man. If the outlaw'd party once fall
 into their hands, they will be hanged and drawn, or will be hanged through the heart
 with a sword. Of this the unfortunate Sir Thomas Armstrong is an example
 of the last execution, who after apprehended within the twelfth Month,
 which is the time the Statute allows for a person to come in and have the
 benefit of a Pardon, notwithstanding an Outlawry, was yet executed by a
 Justice of the Court of King's Bench, without being allowed a Trial, tho' he
 most earnestly demanded it as the Right of the Subject, and what the Law of
 the Land gives him a full claim unto. And which is worthy to be remarked,
 in looking the different treatment which Protestants meet with, beyond
 what was measured out to the worst and most criminal Papists. The same
 Attorney General who opposed Sir Thomas Armstrong's having the liberty
 and benefit of a Trial, and who required a Rule of Court for his Execution
 upon the bare Outlawry, did but a few years before in the case of *Widdian*
 and *Don O'Carney*, two of the Ruffians who in the Popish Conspiracy were
 to have killed the King at *Windsor*, not only plead for the Reverse of their
 Outlawry (tho' they had been above two years outlaw'd, and came not in till
 they knew there was but one witness could swear against them, *M^r. Bealke*,
 the other Witness being dead) but he withal told my L. Chief Justice *Pemberton*,
 that there being an Error in the Fact, through their absence beyond
 Sea, when the Outlawry was issued out against them, the Reverse of it was

a thing of course, which they had a Right to demand, and which the Court was bound by the duty of their Office and Place to grant. Seeing therefore that those of you, *O English Peers and Gentlemen!* who remain either Faithful to God in the matter of Religion, or true to your Country in the business of Civil Rights, can neither hope to escape the malice and rage of your Enemies by staying at home nor by going abroad, is it not time to be at last so far awak'ned out of your Lethargy, as to demand Justice upon those bold and enormous Malefactors, that were the Contrivers and Perpetrators of this horrid Murder, upon this Noble and Innocent Lord? Can you believe that you have discharged your duty either to your Maker, your Prince, your Country, your selves, your Posterity, or to your murdered Friend, till you have filled the Ears of his Majesty, with a cry of innocent blood barbarously shed; and till you have demanded a *melius inquirendum* into the manner of that Nobleman's Death, and have brought the Authors and Instruments of his Assassination, to undergo the Justice and Severity of the Law? Let me tell you, *O Peers and Gentlemen!* that this is both what Heaven and Earth do expect from you. And if you continue to neglect it, you will in the account of God be reckoned amongst Accessories to that guilt, and in the esteem of Men be held for a dastardly and degenerate People; But if all Men shall either prove so timid, or so supine, as to be regardless of the Command and Authority of God, their own personal safety, the wrath that impends over the Nation upon the cry of innocent Blood: Awake then and stir up thy self thou All-seeing and Righteous Lord, who beholdest mischief and spite, to require it with thy hand, and make thy Wisdom known in the detection, and thy Justice in the punishment of this horrid Crime. For thou hast not only devolved the Inquisition after Murder, upon those who are trusted with Rule among Men, but hast charged thy self with it, and hast said, *The blood of your Lives will I require at the hand of Man, and at the hand of every Mans Brother, will I require the Life of Man, and whoso sheddeth Man's blood, by Man shall his blood be shed.* O therefore thou Holy One to whom Justice belongeth, shew thy self, yea lift up thy self thou Judge of the Earth, cause their mischief to return upon their own head, and for the violence of their hands and the sin of their mouth, let them be taken in their Pride, that all Men may know God hath not forsaken the Earth, but that he ruleth in Jacob, even unto the Ends of it.